

Department of Legislative Services
Maryland General Assembly
2007 Session

FISCAL AND POLICY NOTE
Revised

House Bill 501

(Prince George's County Delegation)

Environmental Matters

Judicial Proceedings

**Prince George's County - Commercial Vehicles Parked in Residential Areas –
Citation
PG 301-07**

This bill requires a police officer in Prince George's County to issue a citation to a commercial vehicle parked on any street, highway, driveway, or other property in any area specified as a residential zone under Prince George's County zoning regulations.

Fiscal Summary

State Effect: Minimal general fund revenue increase from increased ticket issuance due to the penalty provision applicable to this offense (\$500 fine). Enforcement could be handled with existing resources.

Local Effect: None. Enforcement could be handled with existing resources.

Small Business Effect: Potential negative impact on small businesses. Small businesses that own specified commercial vehicles could be subject to increased parking fines due to removing a police officer's discretion as to whether to issue a ticket. Alternatively, such businesses could have additional costs to park their vehicles.

Analysis

Current Law: In Prince George's County, a person may not park a commercial vehicle on any street, highway, driveway, or other property specified as a residential zone under the zoning regulations of the county in an area outside a municipality. It does not apply if the parking is essential to the immediate use of a vehicle in conjunction with a

commercial transaction for a business. A violation is a misdemeanor with a \$500 fine for each offense. Each day of a violation constitutes a separate offense. In addition, if the vehicle in question is a combination tractor and trailer, a violator is subject to a separate fine for each vehicle.

A commercial vehicle is defined as a vehicle that (1) is used to transport property; (2) is owned by, or used in conjunction with, a business enterprise; and (3) can be registered as a Class E (truck) which weighs more than 7,000 pounds or has a manufacturer's rated capacity greater than three-fourths of a ton, a class F (tractor), or class G (trailer) vehicle.

Prince George's County prohibits an individual from parking a commercial bus, trailer, or heavy commercial truck on any street or highway in the county outside the corporate limits of any municipality. This ban does not apply to vehicles that are in the course of a commercial purpose and do not park for more than two hours. Any commercial vehicle that has been parked in a residential zone for more than 24 hours must be towed by the county police department. The penalty for this violation is \$500. If any municipality adopts this ban, the county must comply with a request that the county enforce the ban within the incorporated limits.

Background: According to Prince George's County, although police officers have issued citations to commercial vehicles parked in residential zones, it has been discretionary. Some officers have issued warnings or merely required an individual to move a vehicle on certain occasions.

Small Business Effect: There are several models of heavy duty large pickup trucks that have gross vehicle weights of over 7,000 pounds, such as Chevrolet Silverado 2500HD, Ford F-250, and some models of Ford F-150s. These vehicles are used by many individuals owning a small business, such as contractors, construction workers, or landscapers, who may work out of their homes. Landscapers also often have trailers used to tow lawn-care equipment, which would also be subject to a fine. To the extent that officers might previously have not cited certain vehicles but are now mandated to do so, such individuals would no longer be able to park their commercial vehicle in front of their residence at night without risking a parking fine. This could have a significant impact if a business had to find or construct alternative parking, or was routinely cited.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Prince George's County, Judiciary (Administrative Office of the Courts), Department of Legislative Services

Fiscal Note History: First Reader - March 8, 2007
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