

Department of Legislative Services
Maryland General Assembly
2013 Session

FISCAL AND POLICY NOTE

House Bill 770

(Delegate Anderson)(By Request - Baltimore City
Administration)

Environmental Matters

Vehicle Laws - Residential Parking in Baltimore City

This bill specifies that the additional parking privileges afforded a holder of special registration plates for individuals with disabilities do not apply in locations within Baltimore City where there is a local ordinance that restricts parking for vehicles that do not display a residential parking permit.

Fiscal Summary

State Effect: General fund revenues increase beginning in FY 2014 due to the application of existing misdemeanor penalties to violations of the bill and for court costs collected by the District Court. District Court workloads and expenditures are not materially affected assuming the annual number of violations is minimal. Transportation Trust Fund revenues may increase beginning in FY 2014 due to the collection of \$30 administrative flag removal fees associated with the nonpayment of parking tickets resulting from enforcement of the bill.

Local Effect: Baltimore City revenues may increase significantly to the extent that holders of special registration plates for individuals with disabilities that would otherwise park for free in zones reserved for vehicles with residential parking permits instead pay for parking at meters. Baltimore City revenues may also increase significantly due to the application of existing penalties for violations of local parking ordinances, particularly for violations involving unauthorized parking in residential zones.

Small Business Effect: Minimal.

Analysis

Current Law: The Motor Vehicle Administration may provide a special disability registration number and plates to the owner of a vehicle who submits satisfactory proof of specified physical disabilities. A licensed physician, certified nurse practitioner, chiropractor, optometrist, or podiatrist must certify that the vehicle owner has a cardiovascular, lung, ambulatory, visual, or other specified disability in accordance with the Maryland Vehicle Law.

The holder of special disability registration plates is afforded specified parking privileges including free parking at any metered space that is not compliant with the Americans with Disabilities Act (ADA) and the authorization to generally park for unlimited periods in parking zones restricted as to the length of parking time permitted. However, exceptions to this general privilege include a restriction for parking in a metered space (1) for only twice the maximum time period permitted, not to exceed a maximum of four hours or (2) for the maximum authorized period of time if the parking meter permits parking for more than four hours.

These privileges within the Maryland Vehicle Law supersede any local ordinance, except that they do not apply (1) to zones where stopping, standing, or parking is prohibited for all vehicles; (2) to zones that are reserved for special types of vehicles; (3) where there is a local ordinance that prohibits parking during heavy traffic periods in morning, afternoon, or evening rush hours; or (4) where parking clearly would present a traffic hazard.

A violation of these privileges or other provisions pertaining to the use of special disability registration plates in parking zones is a misdemeanor and, on conviction, subjects the offender to a fine of up to \$500.

Background: Baltimore City advises that the Baltimore City Parking Authority plans to implement a new policy of charging holders of special disability registration plates at its ADA-compliant metered parking spaces, beginning in the summer of 2013. Previously, although State law only prohibits charging a meter fee to the holder of special disability registration plates for spaces that are not ADA compliant, Baltimore City had been not charging meter fees even at its ADA-compliant spaces. However, Baltimore City advises that it has been monitoring parking by vehicles with special disability registration plates and discovered apparent widespread abuse of the special parking privileges, in which individuals that would not qualify to receive a special registration plate are nevertheless in possession of one.

According to Baltimore City, on any given weekday, a significant majority of all spaces in the central business district of the city is occupied by vehicles with special disability registration plates. By changing its policy with respect to charging meter fees for these vehicles as allowed under State law, it anticipates that many vehicles with special disability registration plates may begin parking in surrounding residential parking districts to access the central business district where there are no parking meters or fees. This bill is intended to address this situation by protecting the parking privileges of city residents that pay for permit parking in their neighborhoods.

Baltimore City advises that parking meters generate roughly \$5.0 million annually. Further, the city anticipates an increase in meter fee revenues of about 20%, or about \$1.0 million, under the new policy with respect to holders of special disability registration plates, in conjunction with the bill, assuming the bill is effective in deterring vehicles with special disability registration plates from parking in residential areas without meters. The Department of Legislative Services advises that, alternatively, parking fine revenues may increase significantly to the extent the bill does not provide the intended deterrent effect and holders of special disability registration plates continue to park in residential areas rather than pay for parking at meters.

Additional Information

Prior Introductions: None.

Cross File: SB 742 (Senator Jones-Rodwell)(By Request - Baltimore City Administration) and Senator Ferguson - Judicial Proceedings.

Information Source(s): Baltimore City, Judiciary (Administrative Office of the Courts), Department of Legislative Services

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