

Department of Legislative Services
Maryland General Assembly
2014 Session

FISCAL AND POLICY NOTE
Revised

House Bill 1087

(Delegates McMillan and Holmes)

Environmental Matters

Judicial Proceedings

Motor Vehicles - Prohibition Against Unattended Motor Vehicle - Exception

This bill establishes an exemption from the general prohibition on leaving an unattended vehicle running, which allows a person to leave a motionless vehicle unattended for up to five minutes if the vehicle is either locked or on private property not open to the public.

Fiscal Summary

State Effect: The bill is not anticipated to materially affect State operations or finances.

Local Effect: The bill is not anticipated to materially affect local operations or finances.

Small Business Effect: Minimal.

Analysis

Current Law: A person driving or otherwise in charge of a motor vehicle generally may not leave it unattended until the engine is stopped, the ignition locked, the key removed, and the brake set. A motor vehicle engine also may not be allowed to operate for more than five consecutive minutes when the vehicle is not in motion, except (1) when a vehicle is forced to remain motionless because of traffic conditions or mechanical difficulties over which the operator has no control; (2) when it is necessary to operate heating and cooling or auxiliary equipment installed on the vehicle; (3) to bring the vehicle to the manufacturer's recommended operating temperature; or (4) when it is necessary to accomplish the intended use of the vehicle.

A violation of these provisions is a misdemeanor under the Maryland Vehicle Law and carries a penalty of up to \$500 or a prepayable fine of \$70.

According to District Court data, in fiscal 2013, eight citations were issued for leaving a running vehicle unattended. Given the small number of violations, the bill's exemption is not anticipated to materially affect penalty revenues for the general fund.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Maryland Department of the Environment, Department of State Police, Maryland Department of Transportation, Department of Legislative Services

Fiscal Note History: First Reader - February 23, 2014
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