

HOUSE BILL 238

R7

8lr0798

By: **Prince George's County Delegation**

Introduced and read first time: January 18, 2018

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County – Vehicle Laws – Authority to Tow Abandoned Vehicles**

3 **PG 418–18**

4 FOR the purpose of altering the definition of “police department” to include an entity
5 designated by the County Executive of Prince George's County for purposes of
6 provisions relating to the towing of abandoned vehicles in Prince George's County;
7 and generally relating to the authority to tow abandoned vehicles in Prince George's
8 County.

9 BY repealing and reenacting, with amendments,
10 Article – Transportation
11 Section 25–201
12 Annotated Code of Maryland
13 (2012 Replacement Volume and 2017 Supplement)

14 BY repealing and reenacting, without amendments,
15 Article – Transportation
16 Section 25–203
17 Annotated Code of Maryland
18 (2012 Replacement Volume and 2017 Supplement)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
20 That the Laws of Maryland read as follows:

21 **Article – Transportation**

22 25–201.

23 (a) In this subtitle the following words have the meanings indicated.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 (b) “Abandoned vehicle” means any motor vehicle, trailer, or semitrailer:
- 2 (1) That is inoperable and left unattended on public property for more than
3 48 hours;
- 4 (2) That has remained illegally on public property for more than 48 hours;
- 5 (3) That has remained on private property for more than 48 hours without
6 the consent of the owner or person in control of the property;
- 7 (4) That has remained in a garage for more than 10 days after the garage
8 keeper has given the owner of the vehicle notice by certified mail, return receipt requested,
9 bearing a postmark from the United States Postal Service, to remove the vehicle;
- 10 (5) That has remained in a garage for more than 10 days after the period
11 when, by contract, the vehicle was to remain in the garage;
- 12 (6) That was left for more than 10 days in a garage by:
- 13 (i) Someone other than its registered owner; or
- 14 (ii) A person authorized to have possession of the vehicle under a
15 contract of use, service, storage, or repair;
- 16 (7) That has remained on public property for more than 48 hours and:
- 17 (i) Is not displaying currently valid registration plates; or
- 18 (ii) Is displaying registration plates of another vehicle;
- 19 (8) That has been left unattended on any portion of a “controlled access
20 highway” as defined in § 8–101(f) of this article for more than 24 hours;
- 21 (9) That has been left unattended on any portion of a primary or secondary
22 highway or controlled access highway, as defined in § 8–101 of this article, and is in
23 violation of any of the provisions of § 22–408 of this article; or
- 24 (10) That is not reclaimed as provided under § 27–111 of this article.
- 25 (c) “Garage” means any of the following, if operated for commercial purposes:
- 26 (1) A parking place or establishment;
- 27 (2) A vehicle storage facility; or
- 28 (3) An establishment for the servicing, repair, or maintenance of vehicles.

1 (d) (1) “Lessor” means a person who regularly leases or offers to lease motor
2 vehicles.

3 (2) “Lessor” includes:

4 (i) An assignee of leases; and

5 (ii) A person who during any 12-month period offers to lease 5 or
6 more motor vehicles or who is assigned 5 or more leases.

7 (e) “Police department” means:

8 (1) The Department of State Police;

9 (2) The police department of any political subdivision of this State;

10 (3) In Baltimore City, the appropriate agency designated by the Board of
11 Estimates;

12 (4) The police forces of public colleges and universities;

13 (5) In Prince George’s County, [if designated by the County Executive, the
14 Prince George’s County Department of Environmental Resources] **AN ENTITY**
15 **DESIGNATED BY THE COUNTY EXECUTIVE**;

16 (6) In any municipality in Prince George’s County or Montgomery County,
17 an appropriate agency or department designated by the governing body of the municipality;
18 and

19 (7) The police force of any State government agency.

20 25–203.

21 (a) A police department may take any abandoned vehicle into custody. For this
22 purpose, the police department may use its own personnel, equipment, and facilities or,
23 subject to the provisions of subsection (b) of this section, use other persons, equipment, and
24 facilities for removing, preserving, and storing abandoned vehicles.

25 (b) A police department may not authorize the use of a tow truck under subsection
26 (a) of this section unless the tow truck is registered under § 13–920 of this article.

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
28 October 1, 2018.