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By: Senator Dorman

Introduced and read first time: February 3, 2000 Assigned to: Economic and Environmental Affairs

A BILL ENTITLED

1 AN ACT cor	ncerning
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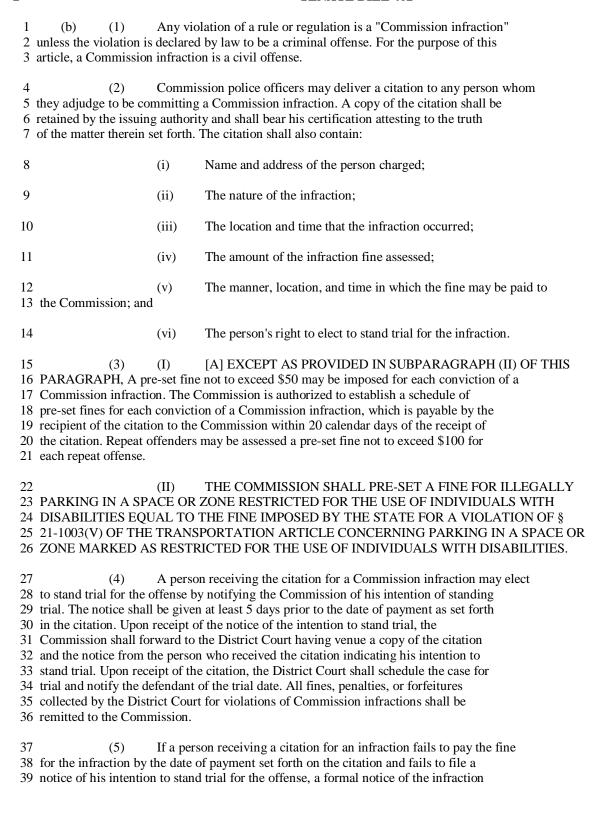
- 2 Maryland-National Capital Park and Planning Commission Illegally 3 Parking in Space for Individuals with Disabilities - Penalty
- 4 FOR the purpose of requiring the Maryland-National Capital Park and Planning
- 5 Commission to pre-set a fine for illegally parking in a space restricted for the
- 6 use of individuals with disabilities to equal the State penalty for a similar
- violation; requiring the District Court to impose a fine for a certain Commission
- 8 infraction equal to the fine imposed by the State for a similar violation; and
- 9 generally relating to the penalty for illegally parking in a space restricted for the
- use of individuals with disabilities on property of the Maryland-National
- 11 Capital Park and Planning Commission.
- 12 BY repealing and reenacting, with amendments,
- 13 Article 28 Maryland-National Capital Park and Planning Commission
- 14 Section 5-113
- 15 Annotated Code of Maryland
- 16 (1997 Replacement Volume and 1999 Supplement)
- 17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
- 18 MARYLAND, That the Laws of Maryland read as follows:

19 Article 28 - Maryland-National Capital Park and Planning Commission

20 5-113.

- 21 (a) The Commission may make rules and regulations for the government and
- 22 use of all land or other property acquired by it or under its jurisdiction. It shall cause
- 23 these rules and regulations to be posted outside each park headquarters building,
- 24 community center, recreation center, or similar building in a developed park area.
- 25 Following their promulgation, they shall be published at least three times within 60
- 26 days, in one or more newspapers published in the metropolitan district, and the
- 27 posting and publication shall be sufficient notice to all persons. The sworn certificate
- 28 of any member of the Commission of the posting and publication shall be prima facie
- 29 evidence thereof.

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- 1 shall be sent to the owner's last known address. If the citation has not been satisfied
- 2 within 15 days from the date of the notice, he shall be liable for an additional fine not
- 3 to exceed twice the original fine. If after 35 days the citation has not been satisfied,
- 4 the Commission may request adjudication of the case through the District Court. The
- 5 District Court shall thereupon promptly schedule the case for trial and summons the
- 6 defendant to appear. The defendant's failure to respond to the summons is contempt
- 7 of court.
- 8 (6) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS
- 9 PARAGRAPH, [If] IF any person is found by the District Court to have committed a
- 10 Commission infraction, [he] THE PERSON shall be required to pay a fine in an
- 11 amount not to exceed \$50 or in the event that the infraction is a repeat offense, \$100.
- 12 (II) IF ANY PERSON IS FOUND BY THE DISTRICT COURT TO HAVE
- 13 COMMITTED A COMMISSION INFRACTION UNDER PARAGRAPH (3)(II) OF THIS
- 14 SUBSECTION, THE PERSON SHALL BE REQUIRED TO PAY A FINE EQUAL TO THE FINE
- 15 IMPOSED BY THE STATE FOR A VIOLATION OF § 21-1003(V) OF THE TRANSPORTATION
- 16 ARTICLE.
- 17 (7) Adjudication of a Commission infraction, as defined in this article, is
- 18 not a criminal conviction for any purpose, nor does it impose any of the civil
- 19 disabilities ordinarily imposed by a criminal conviction.
- 20 (8) In any proceeding for a Commission infraction before the District
- 21 Court, the violation shall be prosecuted in the same manner and to the same extent as
- 22 set forth for municipal infractions in Article 23A, § 3(b)(8) through (15), inclusive.
- 23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
- 24 October 1, 2000.