
By: **Delegate Burns**
Introduced and read first time: February 9, 2001
Assigned to: Commerce and Government Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws - Abandoned Vehicles**

3 FOR the purpose of altering a certain definition of "abandoned vehicle" to reduce the
4 number of hours after which a vehicle left on certain property under certain
5 circumstances is considered abandoned; requiring a police department to take
6 any abandoned vehicle into custody; and generally relating to abandoned
7 vehicles.

8 BY repealing and reenacting, with amendments,
9 Article - Transportation
10 Section 25-201(b) and 25-203
11 Annotated Code of Maryland
12 (1999 Replacement Volume and 2000 Supplement)

13 BY repealing and reenacting, without amendments,
14 Article - Transportation
15 Section 25-201(e)
16 Annotated Code of Maryland
17 (1999 Replacement Volume and 2000 Supplement)

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

20 **Article - Transportation**

21 25-201.

22 (b) "Abandoned vehicle" means any motor vehicle, trailer, or semitrailer:

23 (1) That is inoperable and left unattended on public property for more
24 than [48] 24 hours;

25 (2) That has remained illegally on public property for more than [48] 24
26 hours;

1 (3) That has remained on private property for more than [48] 24 hours
2 without the consent of the owner or person in control of the property;

3 (4) That has remained in a garage for more than 10 days after the
4 garage keeper has given the owner of the vehicle notice by certified mail, return
5 receipt requested, bearing a postmark from the United States Postal Service, to
6 remove the vehicle;

7 (5) That has remained in a garage for more than 10 days after the period
8 when, by contract, the vehicle was to remain in the garage;

9 (6) That was left for more than 10 days in a garage by:

10 (i) Someone other than its registered owner; or

11 (ii) A person authorized to have possession of the vehicle under a
12 contract of use, service, storage, or repair;

13 (7) That has remained on public property for more than [48] 24 hours;
14 and

15 (i) Is not displaying currently valid registration plates; or

16 (ii) Is displaying registration plates of another vehicle;

17 (8) That has been left unattended on any portion of a "controlled access
18 highway" as defined in § 8-101(f) of this article for more than 24 hours;

19 (9) That has been left unattended on any portion of a primary or
20 secondary highway or controlled access highway, as defined in § 8-101 of this article,
21 and is in violation of any of the provisions of § 22-408 of this article; or

22 (10) That is not reclaimed as provided under § 27-111 of this article.

23 (e) "Police department" means:

24 (1) The Department of State Police;

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

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

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

29 (5) In Prince George's County, if designated by the County Executive, the
30 Prince George's County Department of Environmental Resources;

31 (6) In any municipality in Prince George's County or Montgomery
32 County, an appropriate agency or department designated by the governing body of the
33 municipality; and

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

2 25-203.

3 (a) A police department [may] SHALL take any abandoned vehicle into
4 custody. For this purpose, the police department may use its own personnel,
5 equipment, and facilities or, subject to the provisions of subsection (b) of this section,
6 use other persons, equipment, and facilities for removing, preserving, and storing
7 abandoned vehicles.

8 (b) A police department may not authorize the use of a tow truck under
9 subsection (a) of this section unless the tow truck is registered under § 13-920 of this
10 article.

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
12 October 1, 2001.