

**Department of Legislative Services**  
Maryland General Assembly  
2003 Session

**FISCAL AND POLICY NOTE**

House Bill 1176 (Delegate Marriott) (By Request – Baltimore City Administration)  
Judiciary

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**Baltimore City - Local Government Tort Claims Act - Notice of Claim**

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This bill reduces, for Baltimore City only, the period of time in which the owner of an abandoned vehicle must give notice of a claim against the city or its employees for damages to the vehicle from 180 to 45 days following the owner's payment of all applicable towing, preservation, and storage charges.

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**Fiscal Summary**

**State Effect:** None.

**Local Effect:** The bill could reduce certain damage claims against Baltimore City, but it is not expected to have a significant impact on city revenues or expenditures.

**Small Business Effect:** Minimal.

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**Analysis**

**Current Law:** An action for unliquidated damages may not be brought against a local government or its employees under the Local Government Tort Claims Act unless notice of the claim is given to specified local government officials within 180 days after the injury. The notice must be in writing and state the time, place, and cause of the injury. If the required notice was not given, the court may entertain a suit upon motion and for good cause shown, unless the defendant can affirmatively show that its defense has been prejudiced by lack of required notice.

**Local Fiscal Effect:** The bill could reduce the number of claims brought against Baltimore City for damaged vehicles, but its actual impact cannot be determined at this time. The City of Baltimore advises that most claims for vehicular damage are filed within 45 days after the owner reclaims the vehicle.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** SB 760 (Senator McFadden) – Judicial Proceedings.

**Information Source(s):** Baltimore City, Department of Legislative Services

**Fiscal Note History:** First Reader - March 14, 2003  
ncs/jr

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Analysis by: Rita A. Reimer

Direct Inquiries to:  
(410) 946-5510  
(301) 970-5510