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

Introduced and read first time: February 11, 2005

Assigned to: Environmental Matters

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A BILL ENTITLED

1 AN ACT concerning

2                           **Prince George's County - Parking of Commercial Vehicles in Residential**  
3                           **Areas**  
4                           **PG 406-05**

5 FOR the purpose of prohibiting a person from parking certain commercial vehicles in  
6 certain areas in Prince George's County; providing certain exceptions; making  
7 this Act inapplicable to certain vehicles under certain circumstances; defining a  
8 term; providing for certain penalties; and generally relating to the regulation of  
9 the parking of certain commercial vehicles in certain residential areas in Prince  
10 George's County.

11 BY repealing and reenacting, without amendments,  
12 Article - Transportation  
13 Section 11-108, 11-144.1, 11-169, 11-171, 11-172, and 27-101(b)  
14 Annotated Code of Maryland  
15 (2002 Replacement Volume and 2004 Supplement)

16 BY adding to  
17 Article - Transportation  
18 Section 21-1010  
19 Annotated Code of Maryland  
20 (2002 Replacement Volume and 2004 Supplement)

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

23                           **Article - Transportation**

24 11-108.

25 "Combination" means a combination of a motor vehicle with one or more other  
26 vehicles propelled or pushed as a unit.

1 11-144.1.

2 "Passenger car" means a motor vehicle, except a multipurpose passenger vehicle  
3 or motorcycle, designed for carrying 10 persons or less.

4 11-169.

5 (a) "Trailer" means, except as provided in subsection (b) of this section, a  
6 vehicle that:

7 (1) Has no motive power;

8 (2) Is designed to carry people or property and to be towed by a motor  
9 vehicle; and

10 (3) Is constructed so that no part of its weight rests on the towing  
11 vehicle.

12 (b) "Trailer" does not include a pole trailer.

13 11-171.

14 "Truck" means a motor vehicle, except a multipurpose passenger vehicle, that is  
15 designed, used, or maintained primarily to carry property.

16 11-172.

17 "Truck tractor" means the noncargo carrying power unit that operates in  
18 combination with a semitrailer or trailer, except that a truck tractor and semitrailer  
19 engaged in the transportation of automobiles or boats may transport motor vehicles  
20 or boats on part of the power unit.

21 21-1010.

22 (A) IN THIS SECTION, "COMMERCIAL VEHICLE" MEANS A VEHICLE THAT:

23 (1) IS USED TO TRANSPORT PROPERTY;

24 (2) IS OWNED BY, OR USED IN CONJUNCTION WITH, A BUSINESS  
25 ENTERPRISE; AND

26 (3) IS OF A TYPE CAPABLE OF BEING REGISTERED:

27 (I) OTHER THAN UNDER § 13-917 OF THIS ARTICLE, AS A CLASS E  
28 (TRUCK) VEHICLE UNDER THIS ARTICLE;

29 (II) AS A CLASS F (TRACTOR) VEHICLE UNDER THIS ARTICLE; OR

30 (III) AS A CLASS G (TRAILER) VEHICLE UNDER THIS ARTICLE.

1 (B) THIS SECTION DOES NOT APPLY TO ANY VEHICLE THAT IS OF A TYPE  
2 CAPABLE OF BEING REGISTERED:

3 (1) AS A CLASS A (PASSENGER) VEHICLE UNDER § 13-912 OF THIS  
4 ARTICLE; OR

5 (2) AS A CLASS E (TRUCK) VEHICLE UNDER § 13-917 OF THIS ARTICLE.

6 (C) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, IN  
7 PRINCE GEORGE'S COUNTY, A PERSON MAY NOT PARK A COMMERCIAL VEHICLE ON  
8 ANY STREET, HIGHWAY, DRIVEWAY, OR OTHER PROPERTY IN AN AREA SPECIFIED AS  
9 A RESIDENTIAL ZONE UNDER THE ZONING REGULATIONS OF PRINCE GEORGE'S  
10 COUNTY.

11 (2) THIS SUBSECTION DOES NOT APPLY IF THE PARKING OF THE  
12 COMMERCIAL VEHICLE IS ESSENTIAL TO THE IMMEDIATE USE THEN BEING MADE OF  
13 THE COMMERCIAL VEHICLE IN CONJUNCTION WITH A COMMERCIAL TRANSACTION  
14 FOR A BUSINESS ENTERPRISE.

15 (D) (1) SUBJECT TO PARAGRAPHS (2) AND (3) OF THIS SUBSECTION, A  
16 PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON  
17 CONVICTION IS SUBJECT TO THE PENALTY PROVIDED IN § 27-101(B) OF THIS  
18 ARTICLE.

19 (2) IN THE CASE OF A COMBINATION TRACTOR AND TRAILER, A PERSON  
20 WHO VIOLATES THIS SECTION IS SUBJECT TO A SEPARATE FINE FOR EACH VEHICLE.

21 (3) FOR THE PURPOSE OF DETERMINING THE PENALTY UNDER THIS  
22 SECTION, EACH DAY OF A VIOLATION IS A SEPARATE OFFENSE.

23 27-101.

24 (b) Except as otherwise provided in this section, any person convicted of a  
25 misdemeanor for the violation of any of the provisions of the Maryland Vehicle Law is  
26 subject to a fine of not more than \$500.

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
28 October 1, 2005.