
By: **Senator Della**

Introduced and read first time: January 27, 2005

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Fines for Parking Violations - Late Fees - Restrictions in Baltimore City**

3 FOR the purpose of prohibiting Baltimore City from charging a person issued a
4 citation for a parking violation who has failed either to pay the fine by a certain
5 date or to file a notice of intent to stand trial by a certain date more than one
6 late fee or a late fee exceeding a certain amount; and generally relating to
7 restrictions in Baltimore City on the charging of late fees for unpaid fines for
8 parking violations.

9 BY repealing and reenacting, with amendments,
10 Article - Transportation
11 Section 26-301
12 Annotated Code of Maryland
13 (2002 Replacement Volume and 2004 Supplement)

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

16 **Article - Transportation**

17 26-301.

18 (a) In this subtitle, "officer" means a police officer or a person other than a
19 police officer who is authorized to issue a citation for a violation of an ordinance or
20 regulation that is adopted under this section.

21 (b) Subject to subsection (c) of this section, any State agency authorized by law
22 and any political subdivision of this State may adopt ordinances or regulations that:

23 (1) Regulate the parking of vehicles;

24 (2) Provide for the impounding of vehicles parked in violation of the
25 ordinances or regulations;

26 (3) Regulate the towing of vehicles from publicly owned and privately
27 owned parking lots; and

1 (4) Provide for the issuance of a citation by an officer for a violation of an
2 ordinance or regulation that is adopted under this section.

3 (c) (1) A political subdivision may not adopt or enforce an ordinance or
4 regulation that prohibits the parking of more than one motorcycle within a space
5 served by a single parking meter.

6 (2) BALTIMORE CITY MAY NOT CHARGE A PERSON ISSUED A CITATION
7 FOR A VIOLATION OF AN ORDINANCE ADOPTED UNDER THIS SECTION WHO HAS
8 FAILED EITHER TO PAY THE FINE FOR THE VIOLATION BY THE DATE SPECIFIED IN
9 THE CITATION OR TO FILE A NOTICE OF INTENTION TO STAND TRIAL FOR THE
10 VIOLATION BY THE DATE SPECIFIED IN THE CITATION:

11 (I) MORE THAN ONE LATE FEE; OR

12 (II) A LATE FEE EXCEEDING \$25.

13 (d) (1) In this subsection, "rental vehicle" means a vehicle that is rented or
14 leased for a period not exceeding 180 days.

15 (2) If a parking citation is issued for a rental vehicle, the owner is not
16 liable for any penalty in excess of the original fine for a parking violation unless the
17 owner fails to pay the fine or file a notice of intention to stand trial for the violation
18 within the time specified in a notice of the infraction mailed to the business address
19 of the owner.

20 (3) If a political subdivision or State agency receives payment for a
21 parking violation from both the owner of the vehicle and the person who had
22 possession of the rental vehicle at the time the parking citation was issued, the
23 political subdivision or State agency shall reimburse the owner of the vehicle for the
24 amount paid by the owner for the violation.

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