
By: **Senator Della**

Introduced and read first time: January 27, 2005

Assigned to: Judicial Proceedings

Committee Report: Favorable

Senate action: Adopted

Read second time: March 22, 2005

CHAPTER_____

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:

- 1 (1) Regulate the parking of vehicles;
- 2 (2) Provide for the impounding of vehicles parked in violation of the
3 ordinances or regulations;
- 4 (3) Regulate the towing of vehicles from publicly owned and privately
5 owned parking lots; and
- 6 (4) Provide for the issuance of a citation by an officer for a violation of an
7 ordinance or regulation that is adopted under this section.

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

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

16 (I) MORE THAN ONE LATE FEE; OR

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

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

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

25 (3) If a political subdivision or State agency receives payment for a
26 parking violation from both the owner of the vehicle and the person who had
27 possession of the rental vehicle at the time the parking citation was issued, the
28 political subdivision or State agency shall reimburse the owner of the vehicle for the
29 amount paid by the owner for the violation.

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