

Department of Legislative Services
Maryland General Assembly
2007 Session

FISCAL AND POLICY NOTE

Senate Bill 469

(Senator Gladden)

Judicial Proceedings

Baltimore City - Motor Vehicles - Tickets and Fees

This bill prohibits the Mayor and City Council of Baltimore City from imposing a fee, in addition to the fee imposed under the Maryland Vehicle Law, for the late payment of traffic citations.

Fiscal Summary

State Effect: None. The bill would affect local government operations only.

Local Effect: Baltimore City revenues could decrease by about \$8.0 million annually, assuming the number of tickets issued each year remains stable. No effect on Baltimore City expenditures. **This bill imposes a mandate on a unit of local government.**

Small Business Effect: Minimal.

Analysis

Current Law: Any State agency authorized by law and any political subdivision of the State may adopt ordinances or regulations that: (1) regulate the parking of vehicles; (2) provide for the impounding of vehicles parked in violation of the ordinances or regulations; (3) regulate the towing of vehicles from publicly and privately owned parking lots; and (4) provide for the issuance of a citation by an officer for a violation of an ordinance or regulation that is adopted under the State enabling law.

The Baltimore City Code provides that if a traffic citation has not been paid within 15 days from the date of the notice, the person who received the citation is liable for a

penalty of \$16 for each month or part of a month that the citation remains unpaid. If the city has requested that the Motor Vehicle Administration either refuse registration or transfer of the vehicle registration until the citation has been paid, an additional \$25 fee is imposed. These penalties are in addition to any other fines that may be imposed.

The Maryland Vehicle Law provides that its effect is statewide, unless otherwise expressly provided. No local authority may impose on the owner or driver of any vehicle any tax, registration fee, license fee, assessment, or charge of any kind for the use of a vehicle on any highway in the State except for toll fees. Local authorities may not make or enforce any local law, ordinance or regulation on any subject covered by the Maryland Vehicle Law, unless expressly authorized. The Maryland Vehicle Law prevails over all local legislation and regulation on any subject covered by it and all public laws, ordinances or regulations that are inconsistent are repealed. Also, the Maryland Vehicle Law modifies the charters of all political subdivisions to prohibit them from making or enforcing any ordinance or regulation in violation of the Maryland Vehicle Law.

Background: Although Baltimore City ordinances authorize the additional imposition of late fees to traffic citations, the policy has been to attach the penalty only to parking citations. Anecdotal evidence suggests that drivers who do not timely pay parking citations that are issued in Baltimore City under the provisions of the Maryland Vehicle Law could end up owing hundreds or even thousands of dollars in late fees payable to Baltimore City, depending on how long the citations remain unpaid.

The director of finance, with the approval of the City Board of Estimates, is authorized by city ordinance to periodically offer amnesty from the payment of penalties that have accumulated for parking, stopping, or standing violations.

Baltimore City advises that parking fines are required to be paid within 15 days of notification. The city has a policy of allowing an additional grace period of 15 days before late fees are assessed. After 15 days has elapsed, a letter is sent to the violator providing information on the penalties if the fine is not paid.

Local Revenues: Baltimore City reports that it anticipates a revenue loss of \$8.0 million annually from this bill. Although fiscal 2006 revenue from penalty payments was \$8.8 million, generally revenues have been lower in other years and averages out to about \$8.0 million annually. Penalty revenue from late parking fines has been relatively stable and is estimated to remain at \$8.0 million in the out years.

In calendar 2006, about 424,200 parking tickets were issued. Of these about 53%, or 224,000 were paid immediately. About 126,600 or 30% were never paid, so the city has

not collected any revenue from those tickets. Of the remaining 73,600 tickets, about 67,500 were outstanding for an average of two months. The remaining tickets were outstanding for longer periods of time.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Judiciary (Administrative Office of the Courts), Maryland Department of Transportation, Baltimore City, Department of Legislative Services

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bfl/hlb

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