

Department of Legislative Services
Maryland General Assembly
2008 Session

FISCAL AND POLICY NOTE

House Bill 126 (Delegate Beidle, *et al.*)
Environmental Matters

Vehicle Laws - Parking Violations - Exemption from Signature Requirement

This bill exempts a parking citation issued to an unattended vehicle for specified parking violations from the requirement that the issuing police officer request the driver to sign a citation to acknowledge its receipt.

Fiscal Summary

State Effect: Potential minimal increase in general fund revenues to the extent that additional parking citations are issued due to exemption from the signature requirement. Potential minimal increase in general fund expenditures to the extent that additional parking citations are contested due to the signature exemption.

Local Effect: None. The bill's requirements could be enforced with existing resources.

Small Business Effect: None.

Analysis

Bill Summary: Under this bill, a police officer would no longer be required to request a signature for violations of parking laws as discussed below. A vehicle that is stopped or parked on a one-way roadway must be stopped or parked parallel to the curb or roadway edge, in the direction of authorized traffic movement, with the right-hand wheels within 12 inches of the right-hand curb or roadway or the left-hand wheels within 12 inches of the left-hand curb or roadway. Likewise, generally a vehicle stopped or parked on a two-way roadway must be stopped or parked parallel to the right-hand curb.

The State Highway Administration or any local government may permit angle parking on a road or highway within its jurisdiction, if the roadway is deemed wide enough to permit angle parking without interfering with the free movement of traffic. SHA or any local authority may place signs that restrict or prohibit the stopping, standing, or parking of vehicles on any highway in its jurisdiction if such actions would endanger others using the highway or interfere unduly with the free movement of traffic on the highway.

A person may not stop, stand, or park a vehicle on any private property not owned by the driver or vehicle owner unless the person has permission from the property owner, tenant, or agent of the property owner. In Baltimore City or in any county, a police officer may issue a citation for violating the prohibition against stopping, standing, or parking on private property without permission.

As of October 1, 2010, any sign that designates a traffic space or zone for individuals with disabilities must clearly state the maximum fine that may be assessed to a driver who parks in the space in violation of the Maryland Vehicle Law.

Current Law/Background: Generally, on issuing a parking citation, the police officer must ask the person to acknowledge receipt of a copy of the citation by signing it. If the person refuses to sign, the police officer must advise the driver that failure to sign the citation could lead to arrest. Once advised of the possibility of arrest, a person may not refuse to acknowledge receipt of the citation. If the person continues to refuse, the police officer may arrest the person.

The signature requirement applies to all citations issued for stopping, standing, or parking violations unless • the person is otherwise being arrested for other specified violations of the Maryland Vehicle Law; • the person is incapacitated or otherwise unable to comply with the signature requirement; • the citation is being issued to an unattended vehicle in violation of the prohibition against stopping, standing, or parking in specified places; or • the citation is being issued to an unattended vehicle that does not meet registration requirements established under the Maryland Vehicle Law.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Prince George's County, Kent County, Worcester County, Baltimore City, Judiciary (Administrative Office of the Courts), Maryland Department of Transportation, Department of Legislative Services

Fiscal Note History: First Reader - February 1, 2008
ncs/ljm

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