

HB0238/328274/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 238
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, insert “EMERGENCY BILL”; in line 2, strike “Abandoned”; in line 4, after the first “of” insert “prohibiting the governing body of Prince George’s County and the police department in Prince George’s County from using other persons, equipment, or facilities for removing, preserving, and storing vehicles under State and local law except under certain circumstances;”; in the same line, strike “entity” and substitute “appropriate agency or department”; in line 6, after “County;” insert “making conforming changes; making this Act an emergency measure;”; in line 7, strike “abandoned”; after line 8, insert:

“BY repealing and reenacting, without amendments,

Article - Transportation

Section 16-303.1(a)

Annotated Code of Maryland

(2012 Replacement Volume and 2017 Supplement)”;

in line 11, after “Section” insert “16–303.1(b).”; in the same line, after “25–201” insert “, and 25–203”; in line 14, strike “repealing and reenacting, without amendments,” and substitute “adding to”; and in line 16, strike “25–203” and substitute “25–115”.

AMENDMENT NO. 2

On page 2, after line 1, insert:

“16–303.1.

(a) In this section, “police department” has the meaning stated in § 25–201 of this article.

(Over)

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(b) (1) For the purpose of impounding or immobilizing a vehicle under this section, the police department may use its own personnel, equipment, and facilities or, subject to the provisions of paragraph (2) of this subsection AND EXCEPT AS PROVIDED IN § 25-115 OF THIS ARTICLE, use other persons, equipment, and facilities for immobilizing vehicles or removing, preserving, and storing impounded vehicles.

(2) A police department may not authorize the use of a tow truck under paragraph (1) of this subsection unless the tow truck is registered under § 13-920 of this article.

25-115.

(A) IN THIS SECTION, “POLICE DEPARTMENT” HAS THE MEANING STATED IN § 25-201(E)(5) OF THIS TITLE.

(B) NEITHER THE GOVERNING BODY OF PRINCE GEORGE’S COUNTY NOR THE POLICE DEPARTMENT MAY USE OTHER PERSONS, EQUIPMENT, OR FACILITIES FOR REMOVING, PRESERVING, AND STORING VEHICLES UNDER § 16-303.1 OF THIS ARTICLE, § 25-203 OF THIS TITLE, OR ANY OTHER STATE OR LOCAL LAW UNLESS THE SERVICES OF THE PERSON OR THE EQUIPMENT OR FACILITIES ARE SELECTED FROM AN OPEN PROCUREMENT ADMINISTERED BY THE PRINCE GEORGE’S COUNTY OFFICE OF CENTRAL SERVICES.”.

On page 3, in line 17, strike “ENTITY” and substitute “APPROPRIATE AGENCY OR DEPARTMENT”; and in line 26, after “section” insert “AND EXCEPT AS PROVIDED IN § 25-115 OF THIS TITLE”.

AMENDMENT NO. 3

On page 4, strike in their entirety lines 1 and 2 and substitute:

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“SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a yea and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.”