

Chapter 780

**(House Bill 903)**

AN ACT concerning

**Washington County – Highway Parking – Prohibition on Prolonged Parking of Inoperable or Disabled Vehicle**

FOR the purpose of prohibiting the parking of a disabled, inoperable, or immobilized vehicle on a public street for more than a certain amount of time in Washington County; requiring that certain notice be posted on a vehicle parked in violation of this Act prior to towing the vehicle; requiring that certain notice be provided following the impounding of a vehicle under this Act; establishing a certain penalty; defining a certain term; providing for the application of this Act; and generally relating to parking requirements in Washington County.

BY adding to

Article – Transportation  
Section 21–1004(g)  
Annotated Code of Maryland  
(2012 Replacement Volume and 2017 Supplement)

BY repealing and reenacting, without amendments,

Article – Transportation  
Section 25–204  
Annotated Code of Maryland  
(2012 Replacement Volume and 2017 Supplement)

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

**Article – Transportation**

21–1004.

**(G) (1) (I) IN THIS SUBSECTION, “AN INOPERABLE OR DISABLED VEHICLE” MEANS A VEHICLE THAT IS VISIBLY UNABLE TO FUNCTION OR MOVE OR THAT, THOUGH ABLE TO OPERATE OR MOVE, POSES A SEVERE SAFETY HAZARD.**

**(II) “AN INOPERABLE OR DISABLED VEHICLE” INCLUDES:**

- 1. A VEHICLE THAT IS MISSING A WHEEL OR WHEELS;**
- 2. A VEHICLE THAT HAS A SEVERELY UNDERINFLATED OR FLAT TIRE OR TIRES; AND**

**3. A VEHICLE WITH A SEVERELY DAMAGED WINDSHIELD.**

**(2) THIS SUBSECTION APPLIES ONLY IN WASHINGTON COUNTY.**

**(3) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, A PERSON MAY NOT LEAVE AN INOPERABLE OR DISABLED VEHICLE CONTINUOUSLY PARKED IN THE SAME LOCATION ON A HIGHWAY FOR MORE THAN 7 DAYS.**

**(II) SUBPARAGRAPH (I) OF THIS PARAGRAPH DOES NOT APPLY TO A VEHICLE THAT HAS BEEN IMMOBILIZED BY A LOCAL GOVERNMENTAL ENTITY OR AN AGENT OF A LOCAL GOVERNMENTAL ENTITY.**

**(4) A PERSON WHO VIOLATES PARAGRAPH (3) OF THIS SUBSECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$500.**

**(5) (I) A VEHICLE THAT IS LEFT IN VIOLATION OF PARAGRAPH (3) OF THIS SUBSECTION MAY BE TOWED ONLY IF NOTICE OF THE INTENT TO TOW THE VEHICLE IS POSTED PROMINENTLY ON THE VEHICLE AT LEAST 72 HOURS IN ADVANCE.**

**(II) THE NOTICE OF THE INTENT TO TOW AN INOPERABLE OR DISABLED VEHICLE SHALL INCLUDE:**

**1. THE ADDRESS AND TELEPHONE NUMBER OF THE FACILITY WHERE THE VEHICLE WILL BE IMPOUNDED; AND**

**2. CONTACT INFORMATION WHERE THE OWNER OF THE VEHICLE MAY DIRECT QUESTIONS REGARDING THE NOTICE OF THE INTENT TO TOW.**

**(6) IF A VEHICLE IS TAKEN INTO CUSTODY UNDER THIS SECTION, A POLICE DEPARTMENT SHALL FOLLOW THE SAME NOTICE REQUIREMENTS AS THOSE FOR ABANDONED VEHICLES UNDER § 25-204 OF THIS ARTICLE.**

25-204.

(a) As soon as reasonably possible and within 7 days at most after it takes an abandoned vehicle into custody, a police department shall send a notice, by certified mail, return receipt requested, bearing a postmark from the United States Postal Service, to:

- (1) The last known registered owner of the vehicle; and
- (2) Each secured party, as shown on the records of the Administration.

(b) The notice shall:

- (1) State that the abandoned vehicle has been taken into custody;
- (2) Describe the year, make, model, and vehicle identification number of the vehicle;
- (3) Give the location of the facility where the vehicle is held;
- (4) (i) Inform the owner and secured party of the owner's and secured party's right to reclaim the vehicle within 3 weeks after the date of the notice, on payment of all towing, preservation, and storage charges resulting from taking or placing the vehicle in custody; or

(ii) In Baltimore City and Montgomery County, be sent by certified mail, return receipt requested, and inform the owner and secured party of the owner's and secured party's right to reclaim the vehicle within 11 working days after the receipt of the notice, on payment of all towing, preservation, and storage charges resulting from taking or placing the vehicle in custody; and

(5) State that the failure of the owner or secured party to exercise this right in the time provided is:

(i) A waiver by the owner or secured party of all of the owner's or secured party's right, title, and interest in the vehicle;

(ii) A consent to the sale of the vehicle at public auction; and

(iii) A consent by the owner other than a lessor to the retention of the vehicle for public purposes as provided in § 25–207 of this subtitle.

(c) In Baltimore City, Prince George's County, and Montgomery County, a police department or its agent may seek to recover costs of impoundment, storage, and sale of a vehicle as provided by §§ 25–206.1 and 25–206.2 of this subtitle. If a police department or its agent seeks to apply the provisions of §§ 25–206.1 and 25–206.2 of this subtitle, the notice required by this section shall also state that the failure of the owner or secured party to exercise the right to reclaim the vehicle in the time provided may cause:

(1) Continuing liability of the owner for costs of:

(i) Impoundment;

(ii) Storage within the chargeable limit for storage as provided in § 25–206.1(b) of this subtitle; and

(iii) Sale of the vehicle; and

(2) Denial of any application by the owner to renew the registration of any vehicle as required by § 25–206.2 of this subtitle.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2018.

**Approved by the Governor, May 15, 2018.**