

HOUSE BILL 63

R7

2lr1146

(PRE-FILED)

By: **Delegate Healey**

Requested: November 1, 2021

Introduced and read first time: January 12, 2022

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws – Parking Enforcement**

3 FOR the purpose of requiring a police officer to compare the make and body style of a motor
4 vehicle with the make and body style for the motor vehicle contained in the motor
5 vehicle registration records on file with the Motor Vehicle Administration before
6 issuing a parking citation applicable to the motor vehicle; prohibiting a police officer
7 from issuing a parking citation applicable to a motor vehicle if the make and body
8 style of the motor vehicle does not match the make and body style contained in the
9 motor vehicle registration records; and generally relating to parking enforcement.

10 BY repealing and reenacting, without amendments,
11 Article – Transportation
12 Section 11–147 and 26–201(a), (e), and (f)
13 Annotated Code of Maryland
14 (2020 Replacement Volume and 2021 Supplement)

15 BY adding to
16 Article – Transportation
17 Section 26–201(g)
18 Annotated Code of Maryland
19 (2020 Replacement Volume and 2021 Supplement)

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

22 **Article – Transportation**

23 11–147.

24 “Police officer” means an officer authorized to direct or regulate traffic or to make

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 arrests for violations of any of the provisions of the Maryland Vehicle Law or of local or
2 other traffic laws or regulations.

3 26–201.

4 (a) A police officer may charge a person with a violation of any of the following, if
5 the officer has probable cause to believe that the person has committed or is committing
6 the violation:

7 (1) The Maryland Vehicle Law, including any regulation adopted under
8 any of its provisions;

9 (2) A traffic law or ordinance of any local authority;

10 (3) Title 9, Subtitle 2 of the Tax – General Article;

11 (4) Title 9, Subtitle 3 of the Tax – General Article;

12 (5) Title 10, Subtitle 4 of the Business Regulation Article;

13 (6) § 10–323 of the Business Regulation Article; or

14 (7) § 10–323.2 of the Business Regulation Article.

15 (e) A police officer who discovers a vehicle stopped, standing, or parked in
16 violation of § 21–1003 or § 21–1010 of this article shall:

17 (1) Deliver a copy of a citation to the driver or, if the vehicle is unattended,
18 attach a copy of a citation to the vehicle in a conspicuous place; and

19 (2) Keep a written or electronic copy of the citation, bearing the police
20 officer’s certification under penalty of perjury that the facts stated in the citation are true.

21 (f) (1) A police officer who discovers a motor vehicle parked in violation of §
22 13–402 of this article shall:

23 (i) Deliver a copy of a citation to the driver or, if the motor vehicle
24 is unattended, attach a copy of a citation to the motor vehicle in a conspicuous place; and

25 (ii) Keep a written or electronic copy of the citation, bearing the law
26 enforcement officer’s certification under penalty of perjury that the facts stated in the
27 citation are true.

28 (2) In the absence of the driver, the owner of the motor vehicle is presumed
29 to be the person receiving the copy of a citation or warning.

30 **(G) (1) BEFORE A POLICE OFFICER ISSUES A CITATION FOR ANY PARKING**

1 VIOLATION, THE POLICE OFFICER SHALL COMPARE THE MAKE AND BODY STYLE OF
2 THE MOTOR VEHICLE WITH THE MAKE AND BODY STYLE FOR THE MOTOR VEHICLE
3 CONTAINED IN THE MOTOR VEHICLE REGISTRATION RECORDS ON FILE WITH THE
4 ADMINISTRATION.

5 **(2)** IF THE MAKE AND BODY STYLE OF THE MOTOR VEHICLE DOES NOT
6 MATCH THE MAKE AND BODY STYLE CONTAINED IN THE MOTOR VEHICLE
7 REGISTRATION RECORDS FOR THE MOTOR VEHICLE, A POLICE OFFICER MAY NOT
8 ISSUE A CITATION FOR A PARKING VIOLATION APPLICABLE TO THAT MOTOR
9 VEHICLE.

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
11 October 1, 2022.