

Chapter 451

(House Bill 391)

AN ACT concerning

Vehicle Laws – Parking Enforcement – Citations

FOR the purpose of requiring a parking citation issued by a political ~~subdivision or~~ subdivision, a State agency, or a third-party contractor to have printed on it a box that the person issued the citation may check to indicate that the registration plates cited were not issued for the vehicle described in the citation; requiring a political ~~subdivision or~~ subdivision, State agency, or a third-party contractor that receives a parking citation from a person with the box checked to perform a certain ~~investigation~~ verification process and dismiss the citation under certain circumstances; prohibiting a person from returning a parking citation to a political ~~subdivision or~~ subdivision, a State agency, or a third-party contractor with the box checked inaccurately; and generally relating to parking enforcement.

BY repealing and reenacting, without amendments,
 Article – Transportation
 Section 26–301(a) and (b)
 Annotated Code of Maryland
 (2020 Replacement Volume and 2022 Supplement)

BY repealing and reenacting, with amendments,
 Article – Transportation
 Section 26–302
 Annotated Code of Maryland
 (2020 Replacement Volume and 2022 Supplement)

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

Article – Transportation

26–301.

(a) In this subtitle, “officer” means a police officer or a person other than a police officer who is authorized to issue a citation for a violation of an ordinance or regulation that is adopted under this section.

(b) Subject to subsection (c) of this section, any State agency authorized by law and any political subdivision of this 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 owned 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 this section.

26–302.

(a) An officer who discovers a vehicle parked in violation of an ordinance or regulation adopted under this subtitle shall:

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

(2) Keep a copy of the citation, bearing his certification under penalty of perjury that the facts stated in the citation are true.

(b) In the absence of the driver, the registered owner of the vehicle is presumed to be the person receiving the citation.

(c) (1) A CITATION ISSUED UNDER THIS SECTION SHALL INCLUDE A BOX THAT THE PERSON ISSUED THE CITATION MAY CHECK TO INDICATE THAT THE REGISTRATION PLATES CITED WERE NOT ISSUED FOR THE VEHICLE DESCRIBED IN THE CITATION.

(2) A POLITICAL ~~SUBDIVISION OR~~ SUBDIVISION, STATE AGENCY, OR THIRD-PARTY CONTRACTOR AUTHORIZED TO CONDUCT PARKING ENFORCEMENT ON BEHALF OF A POLITICAL SUBDIVISION OR STATE AGENCY THAT ISSUES A CITATION UNDER THIS SECTION TO A PERSON WHO RETURNS THE CITATION WITH THE BOX CHECKED AS DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION:

(i) SHALL ~~INVESTIGATE~~ VERIFY THROUGH THE ADMINISTRATION WHETHER THE PERSON ISSUED THE CITATION SHOULD BE HELD LIABLE FOR THE VIOLATION; AND

(ii) MAY CONTACT THE PERSON ISSUED THE CITATION AS PART OF THE ~~INVESTIGATION~~ VERIFICATION PROCESS.

(3) AFTER ~~AN INVESTIGATION~~ THE VERIFICATION PROCESS INITIATED UNDER PARAGRAPH (2) OF THIS SUBSECTION, IF THE POLITICAL ~~SUBDIVISION OR~~ SUBDIVISION, STATE AGENCY, OR THIRD-PARTY CONTRACTOR FINDS THAT THE PERSON ISSUED THE CITATION SHOULD NOT BE HELD LIABLE FOR

THE CITATION, THE POLITICAL ~~SUBDIVISION OR~~ SUBDIVISION, STATE AGENCY, OR THIRD-PARTY CONTRACTOR SHALL DISMISS THE CITATION.

(4) A PERSON MAY NOT SUBMIT A CITATION WITH THE BOX CHECKED AS INDICATED IN PARAGRAPH (1) OF THIS SUBSECTION TO A POLITICAL ~~SUBDIVISION OR~~ SUBDIVISION, STATE AGENCY, OR THIRD-PARTY CONTRACTOR IF THE REGISTRATION PLATES CITED WERE ISSUED FOR THE VEHICLE DESCRIBED IN THE CITATION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2023.

Approved by the Governor, May 8, 2023.