

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2022 Legislative Session

Bill No. CB-011-2022

Chapter No. 55

Proposed and Presented by Council Member Hawkins

Introduced by Council Members Hawkins, Streeter, Turner, Glaros Ivey, Medlock,
Harrison, Dernoga and Franklin

Co-Sponsors _____

Date of Introduction September 20,2022

BILL

1 AN ACT concerning

2 Off-Road Vehicles

3 For the purpose of increasing the civil penalties for a violation regarding off-road vehicles;
 4 providing for impoundment as a civil violation as a certain offense, in addition to the existing
 5 police powers of impoundment set forth in the Prince George's County Code; providing that the
 6 County Police Department may impound [any] certain off-road vehicles used in certain violations
 7 of Division 19, pursuant to the provisions of Division 18 of this Subtitle; and generally relating to
 8 off-road vehicles.

9 BY repealing and reenacting with amendments:

10 SUBTITLE 26. VEHICLES AND TRAFFIC.

11 Section 26-175,

12 The Prince George's County Code

13 (2019 Edition; 2021 Supplement).

14 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
 15 Maryland, that Section 26-175 of the Prince George's County Code be and the same is hereby
 16 repealed and reenacted with the following amendments:

17 SUBTITLE 26. VEHICLES AND TRAFFIC.

18 DIVISION 19. OFF-ROAD VEHICLES.

19 **Sec. 26-175. Enforcement.**

20 (a) Any violation of this Division shall be subject to a civil monetary fine of [Two Hundred Fifty

Dollars (\$250.00)] Five Hundred Dollars (\$500.00) for the first violation, [Five Hundred Dollars (\$500.00)] One Thousand Dollars (\$1,000) for the second violation, and One Thousand Dollars (\$1,000.00) and impoundment of the off-road vehicle for any subsequent violation pursuant to the provisions of Subtitle 28 of this Code. The citation notice shall be issued in the name of the operator unless the operator is under the age of eighteen (18) years in which case the citation notice shall be issued to the person in whose name the vehicle is registered. Where the operator is under the age of eighteen (18) years and the vehicle is not registered, the citation notice shall be issued to the parent or guardian of the operator.

(b) The County may seek an injunctive order pursuant to the provisions of Subtitle 28 of this Code to prevent such conduct by the violator in the future and to recover damages from the violator for any injury to County property occurring as a result of the violation.

(c) Notwithstanding the timing of the impoundment penalty of being after the second violation set forth in subsection (a) of this Section, [The] the County Police Department may impound any off-road abandoned vehicles, unregistered off-road vehicles, [unlicensed drivers of off-road vehicles,] off-road vehicles involved in criminal activity, or if ordered by a court as part of a sentence for a criminal conviction [unregistered] [off-road vehicle] used in violation of this Division at any time authorized under this Code pursuant to the provisions of Division 18 of this Subtitle. The vehicle may be impounded until such time as the fine and all towing and storage fees are paid by the operator, the operator's parent or legal guardian.

SECTION 2. BE IT FURTHER ENACTED that the provisions of this Act are hereby declared to be severable; and, in the event that any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this Act is declared invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the remaining words, phrases, clauses, sentences, subparagraphs, paragraphs, subsections, or sections of this Act, since the same would have been enacted without the incorporation in this Act of any such invalid or unconstitutional word, phrase, clause, sentence, paragraph, subparagraph, subsection, or section.

SECTION 3. BE IT FURTHER ENACTED that this Act shall take effect forty-five (45) calendar days after it becomes law.

Adopted this 24th day of October, 2022.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Calvin S. Hawkins, II
Chair

ATTEST:

Donna J. Brown
Clerk of the Council

APPROVED:

DATE: _____ BY: _____
Angela D. Alsobrooks
County Executive

KEY:

Underscoring indicates language added to existing law.

[Brackets] indicate language deleted from existing law.

Asterisks *** indicate intervening existing Code provisions that remain unchanged.