

CITY OF BALTIMORE

STEPHANIE RAWLINGS-BLAKE, Mayor



DEPARTMENT OF LAW

GEORGE A. NILSON, City Solicitor
101 City Hall
Baltimore, Maryland 21202

September 27, 2011

The Honorable President and Members
of the Baltimore City Council
Attn: Karen Randle, Executive Secretary
Room 409, City Hall
100 N. Holliday Street
Baltimore, Maryland 21202

Re: City Council Bill 11-0740 – Commercial Vehicles – Parking, Standing
and Stopping

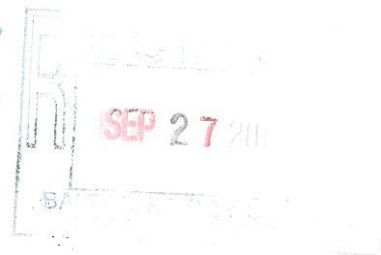
Dear President and City Council Members:

The Law Department has reviewed City Council Bill 11-0740 for form and legal sufficiency. The bill would change the definition of a commercial vehicle in Section 6-26 (Commercial Vehicles) of Article 31 (Transit and Traffic) of the City Code from one designed to carry 10 or fewer passengers, to one designed to carry 15 or fewer passengers. This change will mean that commercial vehicles are defined slightly differently for Section 6-26 than they are for other parts of the Code. *See* City Code, Art. 31, §1-1(f).

The City generally has the power to regulate traffic. *See* City Charter, Art. II, §§ 27, 34(d). State law recognizes that the “provisions of the Maryland Vehicle Law do not prevent a local authority, in the reasonable exercise of its police power, from exercising” certain “powers as to highways under its jurisdiction,” including, “[s]ubject to the provisions of §21-1003.1 of [the Transportation Article of the Maryland Code], regulating or prohibiting the stopping, standing, or parking of vehicles.” Md. Code, Transp., §25-102. Since there is no conflicting state law, the Law Department approves this bill for form and legal sufficiency.

Very truly yours,


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Assistant Solicitor



cc: George Nilson, City Solicitor
Angela C. Gibson, Mayor's Legislative Liaison
Elena DiPietro, Chief Solicitor
Ashlea Brown, Assistant Solicitor
Victor Terval, Assistant Solicitor

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