

CITY OF BALTIMORE

STEPHANIE RAWLINGS-BLAKE, Mayor



DEPARTMENT OF LAW

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

September 19, 2012

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 12-0138 – Transit and Traffic – Commercial Vehicles

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 12-00138 for form and legal sufficiency. The bill would amend the definition of a commercial vehicle in the Transit and Traffic Article of the City Code so that passenger cars (as defined in State law) with advertising on their exteriors are not considered commercial vehicles. Additionally, the bill would conform the definition of commercial vehicle in Section 1-1 (those designed to have 10 or fewer passengers) to that in Section 6-26 of the Article (which was amended by City Council Bill 11-0740 to have 15 or fewer passengers).

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,



Hilary Ruley  
Assistant Solicitor

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

