
CITY OF BALTIMORE

BRANDON M. SCOTT
Mayor



DEPARTMENT OF LAW
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July 18, 2022

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

Re: City Council Bill 22-0247 – Obstructing Street – Motor Vehicles

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 22-0247 for form and legal sufficiency. It is for the purpose of prohibiting the obstruction of public streets for specified purposes; establishing certain penalties; and generally relating to obstructing a City street.

Article II, section 34(d) authorizes the City to “regulate the use of streets and public ways by persons, animals and vehicles; to prohibit the use of such streets and public ways by any or all motor vehicles under such circumstances or upon such conditions as it may, from time to time, by ordinance, deem necessary or expedient in the interest of the public.” While state law generally controls moving violations, this bill would prohibit the obstruction of the street for the purpose of driving a car to demonstrate its maneuverability in a certain manner. The offense of obstructing a street is currently in the code and this bill creates a greater penalty for the obstruction when it is done for the purposes described therein.

Assuming the City Council shows a rational basis for treating the behavior of obstructing a street for the purposes specified as a greater offense than the general obstructing of a street that is current law, the bill could survive a legal challenge.

Very truly yours,

Ashlea Brown
Chief Solicitor

cc: James L. Shea, City Solicitor
Nina Themelis, Mayor’s Office of Government Relations
Elena DiPietro, Chief Solicitor, General Counsel Division
Hilary Ruley, Chief Solicitor
Jeff Hochstetler, Chief Solicitor

