

INTRODUCTORY*
CITY OF BALTIMORE
COUNCIL BILL _____

Introduced by: Councilmember Parker

A BILL ENTITLED

AN ORDINANCE concerning

Commercial Motor Vehicle Repair on City Streets – Prohibition

FOR the purpose of prohibiting the practice of commercial non-emergency motor vehicle repairs on City streets or footways; establishing certain penalties; and defining certain terms.

BY repealing and re-ordaining, with amendments

Article 1 - Mayor, City Council, and Municipal Agencies
Section 40-14(e)(10)
Baltimore City Code
(Edition 2000)

BY repealing and re-ordaining, with amendments

Article 1 - Mayor, City Council, and Municipal Agencies
Section 41-14(10)
Baltimore City Code
(Edition 2000)

BY renumbering

Article 31 - Transportation
Section 1-2(d) through (o)
to be
Section 1-2(e) through (p), respectively
Baltimore City Code
(Edition 2000)

BY adding

Article 31 - Transportation
Section 1-2(d)
Baltimore City Code
(Edition 2000)

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

* **WARNING:** THIS IS AN UNOFFICIAL, INTRODUCTORY COPY OF THE BILL.
THE OFFICIAL COPY CONSIDERED BY THE CITY COUNCIL IS THE FIRST READER COPY.

BY repealing and re-ordaining, with amendments
Article 31 - Transportation
Section 16-5
Baltimore City Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That Section 1-2(d) through (o) of Article 31 - Transportation of the Baltimore City Code be renumbered to be Section 1-2(e) through (p), respectively.

SECTION 2. AND BE IT FURTHER ORDAINED, That the Laws of Baltimore City read as follows:

Baltimore City Code

Article 1. Mayor, City Council, and Municipal Agencies

Subtitle 41. Civil Citations

§ 40-14. Offenses to which subtitle applies – Listing.

(e) *Provisions and penalties enumerated.*

(10) Article 31. Transit and Traffic

. . .

Subtitle 16. Use-of-the-Road Regulations

§ 16-5. REPAIRING VEHICLES ON STREETS

AS A MOTOR VEHICLE REPAIR SERVICE ON
A PUBLIC STREET OR FOOTWAY

1 ST OFFENSE	\$100
SUBSEQUENT OFFENSE	\$200

ALL OTHER VIOLATIONS

1 ST OFFENSE	\$ 25
SUBSEQUENT OFFENSE	\$100

§ 16-12. Vehicles on sidewalks	\$ 50
--------------------------------	-------

. . .

Subtitle 41. Civil Citations

§ 41-14. Offenses to which subtitle applies – Listing.

(10) *Article 31. Transit and Traffic*

...

Subtitle 16. Use-of-the-Road Regulations

§ 16-5. REPAIRING VEHICLES ON STREETS

AS A MOTOR VEHICLE REPAIR SERVICE ON A
PUBLIC STREET OR FOOTWAY

1 ST OFFENSE	\$100
SUBSEQUENT OFFENSE	\$200

ALL OTHER VIOLATIONS

1 ST OFFENSE	\$ 25
SUBSEQUENT OFFENSE	\$100

§ 16-12. Vehicles on sidewalks	\$ 50
--------------------------------	-------

...

Article 31. Transportation

Subtitle 1. Definitions; General Provisions

§ 1-2. Definitions — M to R.

(D) *MOTOR VEHICLE REPAIR SERVICE.*

“MOTOR VEHICLE REPAIR SERVICE” MEANS A PERSON THAT IS ENGAGED IN THE BUSINESS OF PERFORMING MAJOR OR MINOR REPAIRS TO A MOTOR VEHICLE, INCLUDING:

- (1) COLLISION SERVICES, INCLUDING BODY, FRAME, OR FENDER REPAIR OR STRAIGHTENING;
- (2) MAINTENANCE, REPAIRS, OR ADJUSTMENT OF ANY ENGINE COMPONENTS;
- (3) BRAKE ADJUSTMENTS AND REPAIRS;
- (4) REPAIR OR REPLACEMENT OF COOLING, ELECTRICAL, FUEL, OR EXHAUST SYSTEMS;
- (5) WHEEL ALIGNMENT, BALANCING, AND SERVICING;
- (6) TIRE REPLACEMENT, REPAIR, OR ROTATION;
- (7) REPAIR, REPLACEMENT, OR ADJUSTMENT OF MUFFLERS, TAIL PIPES, HOSES, BELTS, BULBS, FUSES, WINDSHIELD WIPERS, GREASE RETAINERS, WHEEL BEARINGS, AND SHOCK ABSORBERS;

(8) PAINTING; OR

(9) ANOTHER SIMILAR SERVICE.

Subtitle 16. Use-of-the-Road Regulations

§ 16-5. Repairing vehicles on streets.

(a) *Prohibited conduct.*

- (1) It shall be unlawful for any person to make any repairs to a motor vehicle or to replace or repair any tire or other part of a motor vehicle on any public street where the standing of such vehicle or vehicles will wholly or partially obstruct any lane of traffic.
- (2) It shall be unlawful for any vehicle in the process of being repaired or waiting to be repaired or any vehicle on which a tire or other part thereof is being replaced or waiting for a tire or other part thereof to be replaced to stand double or to do any work or place any tools or equipment on any sidewalk in connection with the repair of any vehicle or the replacement or repair of any tire or other part thereof.
- (3) IT SHALL BE UNLAWFUL FOR A MOTOR VEHICLE REPAIR SERVICE TO MAKE A REPAIR, REPLACEMENT, OR ADJUSTMENT TO A MOTOR VEHICLE OR PART OF A MOTOR VEHICLE ON ANY PUBLIC STREET OR FOOTWAY.

(b) *Emergency repairs excepted.*

The provisions of this section shall not apply to emergency repairs, which are defined as repairs necessary as the result of an unexpected malfunction or breakdown and which are necessary in order to move the vehicle safely and without damage to same.

(c) *Penalties.*

(1) *IN GENERAL.*

Any person violating [any of the provisions] PARAGRAPH (A)(1) OR (A)(2) of this section shall be subject to:

- (I) [(1)] a penalty of not less than \$5 or more than \$25 for the 1st offense; and
- (II) [(2)] a fine of not less than \$25 nor more than \$100 for subsequent offenses.

(2) *REPAIR IN STREET OR FOOTWAY.*

ANY PERSON WHO VIOLATES PARAGRAPH (A)(3) OF THIS SECTION SHALL BE SUBJECT TO:

- (I) A PENALTY OF NOT LESS THAN \$25 OR MORE THAN \$100 FOR THE 1ST OFFENSE;
AND
- (II) A FINE OF NOT LESS THAN \$100 NOR MORE THAN \$200 FOR SUBSEQUENT OFFENSES.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.