

CITY OF BALTIMORE

STEPHANIE RAWLINGS-BLAKE, Mayor



DEPARTMENT OF LAW

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

September 14, 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 12-0116 – Commercial Vehicle Monitoring System –
Establishment

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 12-0116 for form and legal sufficiency. The bill authorizes the use of commercial vehicle monitoring systems, subject to certain standards, procedures, requirements, and limitations; authorizes penalties for violations; defines certain terms; requires certain rules and regulations; and provides for a special effective date.

This bill is enabled by the passage of Chapters 375 and 376 of the 2012 Laws of Maryland. Those bills authorize Baltimore City to use a “vehicle height monitoring system” to record images of vehicles traveling on City streets. It is useful to note that before such systems can be installed in particular City locations, the State law requires the City to conduct an analysis to determine the appropriateness of a location and to obtain the approval of the Baltimore City Police Commissioner or the Commissioner’s designee. The State law also requires public notice of a system’s location. A driver of a vehicle will be subject to a civil penalty if the vehicle is recorded being operated in violation of State or local law restricting the presence of certain vehicles during certain times. The resulting revenue can be used in two ways: recovering the costs of implementing and administering the system; and paying the cost of roadway improvements.

As Council Bill 12-0116 complies with the provision of State law, there are no legal impediments to the passage of the bill. The Law Department therefore approves the bill as drafted for form and legal sufficiency.

Very truly yours,

Victor K. Tervala
Assistant Solicitor



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cc: George Nilson, City Solicitor
Angela C. Gibson, Mayor's Legislative Liaison
Elena DiPietro, Chief Solicitor
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