

CITY OF BALTIMORE

SHEILA DIXON, Mayor



DEPARTMENT OF LAW

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

May 30, 2008

The Honorable President and
Members of the Baltimore
City Council
c/o Karen Randle, Executive Secretary
409 City Hall
Baltimore, MD 21202

RE: City Council Bill 08-0047 – “Dirt Bikes”- Unregistered Motorcycles and
Similar Vehicles - Forfeitures

Dear President and Members

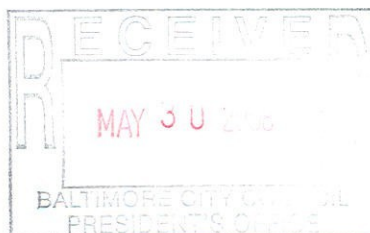
You have requested the advice of the Law Department regarding City Council Bill 08-0047. Bill 47 would amend the City’s law regarding dirt bikes and similar vehicles by requiring that anyone who possesses such a vehicle in the City must keep it locked or immobilized in such a way as to prevent the vehicle from being freely moved and by using a device that can not be removed or deactivated without the assistance of the vehicle’s owner. The bill will also allow a petition for forfeiture to be filed in a court of competent jurisdiction and require publication of notice of the filing in a newspaper of general circulation. The Bill eliminates the provision providing for early retrieval of the vehicle and forbids a secured party from selling the vehicle back to the person from whom it was seized or to the prior owner.

City Council Bill 08-0047 is designed to strengthen the City’s ban on dirt bikes and similar vehicles by prohibiting possession in the City without securing the vehicle to prevent others from using it illegally. The bill also seeks to clarify the forfeiture process.

City Council Bill 08-0047 is consistent with the authority of the City Council. The Law Department, therefore, approves the City Council Bill 08-0047 for form and legal sufficiency.

Sincerely yours,

Elena R. DiPietro
Assistant Solicitor



cc: Honorable Stephanie Rawlings-Blake
Angela Gibson, City Council Liaison
George A. Nilson, City Solicitor
Linda C. Barclay, Chief Solicitor
Deepa Bhattacharyya, Assistant Solicitor
Ashlea Brown, Assistant Solicitor