

**CITY OF BALTIMORE
COUNCIL BILL 22-0192
(First Reader)**

Introduced by: Councilmembers Dorsey, Ramos, Conway, Cohen, Bullock, Burnett

Introduced and read first time: January 10, 2022

Assigned to: Economic and Community Development Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Finance, Department of Transportation, Baltimore Police Department

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Transit and Traffic – Impoundment or Immobilization – Chronic Offenders**

3 FOR the purpose of authorizing the Baltimore City Police Commissioner to impound or
4 immobilize the vehicle of a certain person; defining certain terms; and generally relating to
5 chronic offenders of parking ordinances.

6 BY repealing and re-ordaining, with amendments

7 Article 31 - Transit and Traffic

8 Sections 31-1 and 31-21

9 Baltimore City Code

10 (Edition 2000)

11 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
12 Laws of Baltimore City read as follows:

13 **Baltimore City Code**

14 **Article 31. Transit and Traffic**

15 **Subtitle 31. Clear Streets and Impoundment**

16 ***PART 1. DEFINITIONS; GENERAL PROVISIONS***

17 **§ 31-1. Definitions.**

18 (a) *Abandoned vehicle.*

19 “Abandoned vehicle” has the meaning stated in State Transportation Article (“Maryland
20 Vehicle Law”) § 25-201.

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

Council Bill 22-0192

1 (B) *CHRONIC OFFENDER.*

2 “CHRONIC OFFENDER” MEANS THE OWNER OF A VEHICLE THAT, AS THE RESULT OF
3 PARKING VIOLATIONS, HAS ACCUMULATED \$1,000 OR MORE IN FINES AND PENALTIES ON
4 THE VEHICLE WITHIN A SINGLE JURISDICTION.

5 [(b)] (C) *Commissioner.*

6 “Commissioner” means the Police Commissioner of Baltimore City or the
7 Commissioner’s designee.

8 [(c)] (D) *Private property.*

9 (1) “Private property” includes all property not included within subsection (d) of this
10 section, where the owner can be readily ascertained by reference to the records of the
11 Bureau of Assessments or elsewhere.

12 (2) In case:

13 (i) the owner of property:

14 (A) cannot be so located; or

15 (B) if located, is out of the City or cannot be reached by certified mail
16 or does not respond to it; or

17 (C) otherwise is beyond the jurisdiction of City authorities; or

18 (ii) the property is apparently abandoned,

19 then, for the purposes of this subtitle that property is deemed public property included
20 within subsection (d) of this section.

21 [(d)] (E) *Street.*

22 (1) “Street” includes all public ways, streets, lanes, alleys, footways, and public places in
23 the City.

Council Bill 22-0192

1 (2) Specifically, it includes publicly-owned vacant lots or public property part of which is
2 vacant.

3 ***PART 3. IMPOUNDMENT OR IMMOBILIZATION FOR OUTSTANDING CITATIONS***

4 **§ 31-21. Impounding or immobilization authorized.**

5 (a) *In general.*

6 If an unattended motor vehicle is found parked at any time on any City street and the
7 vehicle has 3 or more unsatisfied citations against it for parking violations, and if a period
8 of 30 days or more has elapsed since the 3rd unsatisfied citation, the Commissioner is
9 authorized to cause that vehicle:

10 (1) either by towing or otherwise, to be removed or conveyed to and impounded in
11 any place designated by the Director of Transportation; or

12 (2) immobilized so as to prevent its operation.

13 (B) *CHRONIC OFFENDERS.*

14 (1) IF AN UNATTENDED MOTOR VEHICLE IS FOUND PARKED AT ANY TIME ON ANY CITY
15 STREET AND THE OWNER OF THE VEHICLE IS IDENTIFIED AS A CHRONIC OFFENDER BY
16 THE DEPARTMENT, THE COMMISSIONER IS AUTHORIZED TO CAUSE THAT OWNER'S
17 VEHICLE:

18 (I) EITHER BY TOWING OR OTHERWISE, TO BE REMOVED OR CONVEYED TO AND
19 IMPOUNDED IN ANY PLACE DESIGNATED BY THE DIRECTOR; OR

20 (II) IMMOBILIZED SO AS TO PREVENT ITS OPERATION.

21 (2) FOR THE PURPOSES OF THIS SUBSECTION, FINES INCURRED FOR A VIOLATION RECORDED
22 BY A SPEED MONITORING OR CONTROL SYSTEM ARE PARKING VIOLATIONS, AND ARE
23 ADDED TO THE CUMULATIVE TOTAL OF FINES AND PENALTIES AN OWNER OF A VEHICLE
24 HAS ACCRUED.

25 (C) [(b)] *Method of immobilization.*

26 Except that no such vehicle shall be immobilized by any means other than by the use of a
27 device or other mechanism which will cause no damage to such vehicle unless it is
28 moved while such device or mechanism is in place.

Council Bill 22-0192

1 (D) [(c)] *Governing rules.*

2 (1) When the vehicle has been removed and impounded pursuant to the provisions of this
3 section, it shall be subject to the impounding provisions of this subtitle and the
4 penalties applicable thereto.

5 (2) An immobilized vehicle which is thereafter impounded shall not be subject to the
6 booting fee hereinafter provided for in this subtitle.

7 **SECTION 2. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th day
8 after the date it is enacted.