
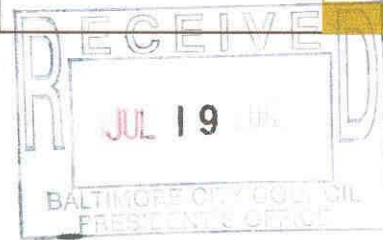


FROM	Name & Title	Khalil A. Zaid, Director	J. Byrche CITY OF BALTIMORE MEMO 
	Agency Name & Address	Department of Transportation 417 E. Fayette St, Rm. 527	
	Subject	City Council Bill 12-0102	

Date: 07/13/12

To: The Honorable President and Members of the City Council
c/o Karen Randle
City Hall, Rm. 400



I am herein reporting on City Council Bill #12-0102, Residential Permit Parking Program FOR the purpose of modifying the procedures and requisites for including an area in a new or existing Residential Permit Parking Area; modifying the procedures for amending a Residential Permit Parking Plan; adding certain vehicle types to those eligible for parking permits in a Residential Permit Parking Area; qualifying permit eligibility for residents of dwelling units added to an existing Residential Permit Parking Area; limiting parking durations for non-permit holders; establishing progressive fines for parking, stopping, or standing in violation of Residential Parking Area restrictions; modifying the composition of the Residential Permit Parking Advisory Board; providing for the election of Advisory Board officers; defining and redefining certain terms; prohibiting certain conduct; correcting, clarifying, and conforming related provisions; and generally relating to the Residential Permit Parking Program.

While the Department of Transportation strongly supports the bill, there are several provisions which require further discussion in order make the bill consistent with other City laws and current operating practices. Alternatively, the Council may wish to consider a significantly delayed effective date to allow the Departments of Transportation and Finance to develop the necessary changes to parking citations, parking fines software, ticket writing software, etc.

The Committee should be advised of the following:

Section §1-1 needs to be clarified that only of the conditions in paragraph (f)(1) – (4) need be established in order for a vehicle to be classified as a commercial vehicle. Additionally, it is our understanding that another public local law defines commercial vehicles as carrying more than 15 passengers. Distinguishing between a 10 and 15 passenger vehicle for the issuance of citations only in a residential parking area requires additional training and monitoring of Parking Control Agents, would likely yield citations thrown out in court due to PCA error, and may not achieve the desired goal.

Section §10-22 provides that Class M vehicles may be allocated a residential parking permit; however, there are certain Class M vehicles which are also commercial vehicles. Paragraph (A)(3) should be amended to provide that “Class M vehicles, other than Commercial Vehicles as defined in Section §1-1” are eligible for a permit.

Section §10-28 closes a loophole for persons seeking to move their non-permitted vehicles within a RPP area during the restricted hours, but provides an exception for Area 2 that is just a 1-hour difference. Uniform treatment of all RPP areas with regard to this rule would simplify the work of parking control agents in enforcing the law.

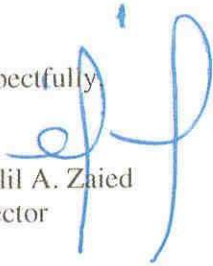
Section §10-49 provides an operational challenge to the Department of Transportation as there is currently no process to release a vehicle when a citation has not yet been entered into the central database of citations. The current boot release vendor (Paylock) would have no way of knowing in a timely manner when a vehicle has been booted for this RPP violation. As a result, a vehicle may be delayed for several days in being (if parked on a weekend or holiday) and would still be taking up the parking space where limited supply exists. In consideration thereof, we would suggest that the Council amend the bill to provide for impoundment of a vehicle rather than immobilization.

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Section §36-9 provides for a progressive fine structure on RPP violations. While we take no position on the efficacy of a progressive fine structure, this provision of the bill would be difficult and costly to implement and require a significant delay in implementation. If the Council wishes to pursue a progressive fine structure, we suggest that this particular provision be given a separate enactment date of one year following passage.

The Department of Transportation supports this bill and looks forward to working with the Council to make its implementation practical and responsive to the concerns of RPP area residents.

Respectfully,



Khalil A. Zaied
Director

KAZ/RD

Cc: Ms. Angela C. Gibson
Mr. Jamie Kendrick
Mr. Frank Murphy