

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2011 Legislative Session

Bill No. CB-38-2011

Chapter No. _____

Proposed and Presented by Council Member Campos

Introduced by _____

Co-Sponsors _____

Date of Introduction _____

BILL

1 AN ACT concerning

2 Towing Regulation

3 For the purpose of making amendments to certain towing operations in the County; and generally
4 relating to towing regulations.

5 BY repealing and reenacting with amendments:

6 **SUBTITLE 5. BUSINESSES AND LICENSES**

7 Sections 5-268 and 5-272,

8 The Prince George's County Code

9 (2007 Edition, 2010 Supplement).

10 **SUBTITLE 26. VEHICLE AND TRAFFIC.**

11 Section 26-142.04,

12 The Prince George's County Code

13 (2007 Edition, 2010 Supplement).

14 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
15 Maryland, that Sections 5-268, 5-272 and 26-142.04 of the Prince George's County Code be and
16 the same are hereby repealed and reenacted with amendments:

17 **SUBTITLE 5. BUSINESSES AND LICENSES.**

18 **DIVISION 21. TOWING REGULATIONS.**

19 * * * * *

20 **Sec. 5-268. Issuance of License.**

1 (a) The Director shall issue regulations specifying the prerequisites, qualifications and
2 procedure for the issuance of two categories of license to provide towing services in the County.

3 * * * * *

4 (k) The motor vehicle shall be moved to the licensee's storage or repair facility within
5 Prince George's County or within five (5) miles of a Maryland jurisdiction bordering the Prince
6 George's County line unless directed otherwise by the Police Department or the owner of the
7 vehicle, or the owner's authorized agent. The storage or repair facility shall not under any
8 circumstances be any area other than his established place of business as designated in the
9 license issued by the Department of Environmental Resources. Supplementary or overflow
10 storage shall require separate offices, must be within Prince George's County or within five (5)
11 miles of a Maryland jurisdiction bordering the Prince George's County line and comply with all
12 applicable zoning requirements. Any motor vehicle so moved shall only be stored and no work
13 shall be done on such motor vehicle without the consent of the owner or operator. Storage
14 charges may only commence eighteen (18) hours after the motor vehicle is towed.

15 * * * * *

16 **Sec. 5-272. Prohibited acts.**

17 (a) It shall be unlawful for any towing company or tow truck operator licensed under the
18 provisions of this Division to move, tow, or store any motor vehicle to a place more than fifteen
19 (15) miles from the place of removal or to a location more than five (5) miles within a Maryland
20 jurisdiction bordering the [outside of] Prince George's County line without the consent of the
21 owner, operator, insurer or primary lienholder.

22 * * * * *

23 **SUBTITLE 26. VEHICLE AND TRAFFIC.**

24 **DIVISION 10. TOWING AND IMPOUNDMENT OF MOTOR VEHICLES**

25 **FROM PRIVATE PROPERTY.**

26 * * * * *

27 **Sec. 26-142.04. Complaint by property owner.**

28 * * * * *

29 (d) It shall be unlawful for a property owner or property owner's agent to authorize a tow
30 for an expired tags registration for an operable vehicle if the tags have be expired for less than
31 fifteen (15) [thirty (30)] days, unless there is evidence that the vehicle has been abandoned.

* * * * *

SECTION 2. BE IT FURTHER ENACTED that the provisions of this Act are hereby declared to be severable; and, in the event that any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this Act is declared invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the remaining words, phrases, clauses, sentences, subparagraphs, paragraphs, subsections, or sections of this Act, since the same would have been enacted without the incorporation in this Act of any such invalid or unconstitutional word, phrase, clause, sentence, subparagraph, subsection, or section.

SECTION 3. BE IT FURTHER ENACTED that this Act shall take effect forty-five (45) calendar days after it becomes law.

Adopted this ____ day of _____, 2011.

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

BY: _____
Ingrid M. Turner
Chair

ATTEST:

Redis C. Floyd
Clerk of the Council

APPROVED:

DATE: _____ BY: _____
Rushern L. Baker, III
County Executive

KEY:
Underscoring indicates language added to existing law.
[Brackets] indicate language deleted from existing law.
Asterisks *** indicate intervening existing Code provisions that remain unchanged.