



March 26, 2025

FISCAL AND POLICY NOTE

TO: Jennifer A. Jenkins
Council Administrator

Colette R. Gresham, Esq.
Deputy Council Administrator

THRU: Josh Hamlin 
Director of Budget and Policy Analysis

FROM: Alex Hirtle 
Legislative Budget and Policy Analyst

Policy Analysis and Fiscal Impact Statement
CB-004-2025 Utility Trailer Parking Restrictions (**Draft 2**)

CB-004-2025 (*proposed by: Council Member Olson*)

Assigned to the Transportation, Infrastructure, Energy, and Environment Committee (TIEE)

AN ACT CONCERNING UTILITY TRAILER PARKING RESTRICTIONS for the purpose of defining utility trailers and establishing parking restrictions for such trailers; requiring the display of information identifying the trailer's owner or rightful possessor; setting penalties for violating these parking restrictions; and excepting certain vehicles from these parking.

Fiscal Summary

Direct Impact:

Expenditures: Probable modest expenditures for enforcement.

Revenues: Possible revenue increase from fines.

Indirect Impact:

Potentially favorable.

Legislative Summary:

CB-004-2025 was presented on January 28th and referred to Transportation, Infrastructure, Energy, and Environment Committee (TIEE). The proposed legislation establishes rules for parking utility trailers on roadways throughout the County. The legislation prohibits overnight parking of utility trailers and restricts daytime parking to four (4) hours, with certain exceptions. These include certain industrial and agriculture zones and public safety or publicly owned trailers. The legislation provides for up to forty-eight (48) hours parking for trailers with mechanical failures or other emergencies.

Parked trailers on public roads and public right-of-way areas must show identification of its owner; if the trailer requires registration by law, it must also be registered. Violators can have their trailer impounded, towed, or immobilized. Violations include \$100 for each violation (one violation for each day).

Note: Draft 2 (DR-2), which was distributed on March 19th, changes the title of “Utility Trailer” to “NON-COMMERCIAL trailers” and moves the Bill’s text from 26-130 to 26-123 of the Code. The Bill distinguishes the fine amounts for Commercial Trailers and “...those trailers that are not Commercial Trailers...”. The text has also been significantly reduced, eliminating the Applicable Vehicles and Required Identification sections. Violations and Schedule of Fines have been folded into Sec. 26-123 (d), as modified.

Current Law/Background:

Currently the County Code, in Section 26, outlines a prohibition on *commercial trailers*, being defined as “every trailer or semi-trailer used for carrying freight or merchandise...of any commercial enterprise.”¹ Section 26-123 prohibits parking of such trailers during the hours of 6pm to 6am (on public roads).² Section 26-127.01 prohibits parking of unregistered or expired registration of trailers on public roadways and rights-of-way.³

Given the above restrictions for trailers already in the County Code, this legislation broadens the definition of trailers, and provides for certain exceptions in certain zones and with specific public-use trailers. The proposed Bill tailors these parking restrictions to allow for certain heavy or industrial zones, and public safety or municipal uses of trailers. It also specifies the hours as between 9pm and 7am, and restricts daytime hours to no longer than four (4) hours.

The Bill was initiated by the hazard and nuisance that utility trailers can cause if parked on public roads and rights-of-way within the County. Trailers, contingent on their size and especially their width and height, can restrict or obscure line of sight for drivers, as well as force moving vehicles to cross the road centerline while maneuvering around such trailers. These trailers, especially left

¹ County Code, Sec. 26-101 (5)

² County Code, Sec. 26-123 (a)

³ County Code, Sec. 26-127.01 (a-c)

parked overnight, can be nuisances to a community, not only in their visual appearance, but also in restricting residents from on-street parking adjacent to their own homes.

Resource Personnel:

- Eric Irving, Fiscal & Legislative Specialist
 - Julio Murillo, Chief of Staff (District 3)
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Discussion/Policy Analysis:

The proposed legislation provides for further regulation of “utility” trailers on the roadways and public rights-of-way in the County. It discourages trailer owners from using public streets as a parking or holding space for a trailer that may support a recreation vehicle, horse trailer, camping trailer, or any trailer that may not be defined as a commercial trailer (as defined in Subtitle 26 of the County Code).

Many jurisdictions and municipalities have restrictions on parking of trailers in public roadways, for hazard and nuisance reasons. Adjacent jurisdictions, such as Montgomery County⁴ and Anne Arundel County⁵ have restrictions on parking of commercial and/or utility trailers, based on where they are parked, their use, and certain timeframes.

The Bill, as specified within its text, carries some cross-over as to what is defined as a *commercial* trailer and a *utility* trailer. The purpose of the legislation is admirable given a trailer owner can conceivably skirt Subtitle 26’s definition of a trailer by claiming it is for non-commercial purposes, or does not carry “freight or merchandise”. With that said, will there be confusion with the Police Department or Revenue Authority as to defining a parked trailer as “commercial” or “utility”? The question does matter due to the (hours) restrictions and violation amounts differing contingent on how the trailer *is* defined. The Council may want to consider consolidating these definitions within the Code, or at the very least place the definitions adjacent to each other within the Code to minimize confusion on the two definitions, restrictions, and violation amounts.

Fiscal Impact:

- *Direct Impact*

Although neither the Police Department nor the Revenue Authority responded to a request for comments on the fiscal impact of the Bill, enactment of CB-004-2025 will probably have a modest adverse fiscal impact on the County, although both expenditures and revenues will possibly see an

⁴ Montgomery County Code, Chapter 31, Article III, Sec. 31-14.

⁵ Anne Arundel County Code, § 18-17-104.

increase. The increased demands this Bill will have on the County Police Department and Revenue Authority may require additional resources within those agencies, or staff assigned to carry out the legislation's provisions which may have been re-directed from other duties. There is also the likelihood that revenues will increase, due to the fines associated with violations of this legislation.

- *Indirect Impact*

Enactment of CB-004-2025 should have a favorable indirect impact on the County by increase in street and traffic safety, as well as quality of life within neighborhoods with the reduction and possible elimination of unsightly trailers on public streets and rights-of-way.

- *Appropriated in the Current Fiscal Year Budget*

No.

Effective Date of Proposed Legislation:

The proposed Bill shall be effective forty-five (45) calendar days after it becomes law.

If you require additional information, or have questions about this fiscal impact statement, please reach out to me via phone or email.