

**PRINCE GEORGE'S COUNTY COUNCIL**  
**COMMITTEE REPORT**  
**2018 Legislative Session**

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**Reference No.:** CB-58-2018

**Draft No.:** 2

**Committee:** TRANSPORTATION, HOUSING AND ENVIRONMENT

**Date:** SEPTEMBER 13, 2018

**Action:** FAVORABLE (A)

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**REPORT:**

Committee Vote: Favorable with Amendments, 4-0 (In favor: Turner, Lehman, Franklin and Taveras)

The Legislative Officer summarized the purpose of CB-58-2018 Draft 2 and explained the proposed amendments. CB-58-2018 Draft 2 seeks to update the designation of residential parking areas on County roads within residential areas, and revises certain parking permit requirements. Subtitle 26 Division 9 of the Prince George's County Code provides regulations governing residential parking permit areas within the County that are outside the corporate limits of any municipality and provides for the issuance of citations to violators of these regulations.

The proposed amended are noted below:

1. On page 1, in line 2, strike "- Commercial Vehicles".
2. On page 1, strike beginning with "amending" in line 3 down through "property;" in line 4 and substitute "restricting eligibility for certain residential parking permits; requiring a certain study; providing for certain parking permit fees;".
3. On page 4, in line 21, strike "and/or equipped with dual rear wheels". On page 4, strike beginning with "with" in line 28 down through "wheels" in line 29.
4. On page 5, in line 32, strike "Twenty-Five Dollars (\$25.00)" and substitute "free"; on page 4, in line 32, strike "Fifty Dollars"; on page 5, in line 1, strike "(\$50.00)" and substitute "Twenty-Five Dollars (\$25.00)"; on page 5, in line 1, strike "One Hundred Dollars (\$100.00)" and substitute "Fifty Dollars (\$50.00)"; on page 5, in lines 1-2, strike "Two Hundred and Fifty Dollars (\$250.00) for each subsequent permit." and substitute "One Hundred Dollars (\$100.00) for the fourth and for each subsequent permit".
5. On page 5, after line 27, insert: "SECTION 3. BE IT FURTHER ENACTED that the Authority shall undertake a study of the definition of commercial vehicle and the impact of

commercial vehicles in residential parking zones. Authority recommendations shall accompany the study which shall be submitted to the County Council six months following the effective date of this Act.”.

6. On page 5, in line 28, strike “3.” and substitute “4.”; and on page 5, strike beginning with “forty-five” in line 28 down through “law” in line 29 and substitute “12 months”.

The Bill sponsor expressed concerns with single family dwellings converting to boarding houses in her District causing a problem for residents to find adequate parking.

The Office of Law representative expressed concerns regarding adding a fee for permits; charging an amount more than the amount charged the preceding fiscal year. Questioning should it be referred to a referendum. However, the Charter provides that fees relating to licenses and permits for (street privileges) shall be exempt from the requirement of Section 813(a); further indicating that the definition of “street privileges” is unclear.

In addition, the Office of Law representative indicated that Section 10-202 of the Local Government Article of the Annotated Code for Maryland states that a “county may provide for the enforcement of an ordinance, a resolution a bylaw, or a regulation...by civil fines not exceeding \$1,000. The Bill on page 2, lines 6 and 7, seeks to impose a civil penalty of \$500 for an initial and repeat violation; civil penalties should be capped at \$1,000.

The County Executive representative expressed support of CB-58-2018 indicating that Mr. Shapiro, Director, Revenue Authority was unable to attend but Ms. Dianne Harris, Manager of Community Relations would participate in his absence. Ms. Harris explained the Residential Parking Program and responded to council members questions.

Ms. Harris indicated that it has always been their intention for this program to have all residents who participate in the Residential Parking Program pay a fee for their permits. The original bill passed in 2011 that created this Program prohibited the agency from charging the residents for the permits. All other Residential Parking Programs in the DMV, such as, Baltimore, Baltimore county, Montgomery County and Washington, DC charge an annual fee for a parking permit; the average fee is \$25.00 per year.

Ms. Harris further stated that they can appreciate Council Member Tavares’s proposal to have the first permit free. The program offered all permits free for the last six years. This first permit free feature promotes a transition from free to paying a fee.

The Office of Audits and Investigations indicated that CB-58-2018 may have a positive fiscal impact to the County related to the establishment of a fee for registration to obtain a residential parking permit within areas throughout the County.

Public testimony was considered and Ms. Reeda L. Butler (resident) spoke in support of CB-58-2018. Ms. Butler inquired as to when the Bill would take effect. The legislative officer indicated that the Bill would take effect 12 months after it becomes law.

A question was raised regarding exempting commercial vehicles belonging to a resident that is utilized as a work vehicle to not penalize that resident. The Bill does exempt four (4) types of commercial vehicles.

The Committee Chair indicated that the Bill title should be modified since the language pertaining to commercial vehicles is not addressed in this Bill. The Revenue Authority shall undertake a study of the definition of commercial vehicles and the impact of commercial vehicles in residential parking zones. In addition, language referencing the “study” should be added in an uncodified section of the legislation.