



THE PRINCE GEORGE'S COUNTY GOVERNMENT

Office of Audits and Investigations


September 21, 2022

FISCAL AND POLICY NOTE

TO: Robert J. Williams, Jr.
Council Administrator

William M. Hunt
Deputy Council Administrator

THRU: Josh Hamlin 
Director of Budget and Policy Analysis

FROM: Lavinia A. Baxter 
Senior Budget and Policy Analyst

RE: Policy Analysis and Fiscal Impact Statement
CB-094-2022 Parking Fines and Penalties (Draft 1)

CB-94-2022 (*Proposed and Presented by:* The Chair (by request - County Executive))

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

AN ACT CONCERNING Parking Fines and Penalties. For the purpose prohibiting habitation in vehicles parked in public right-of-way, restricting eligibility for certain residential parking permits and generally relating to residential parking and commercial trucks.

Fiscal Summary

Direct Impact:

Expenditures: No reported impact on expenditures.

Revenues: Potentially increased revenues from permit fees and penalties.

Indirect Impact:

Potentially favorable.

14741 Governor Oden Bowie Drive, Upper Marlboro, Maryland 20772
VOICE (301) 952-3431; FAX (301) 780-2097; TDD (301) 925-5167

Bill Summary:

CB-094-2022, sponsored by the Chair upon request of the County Executive, was presented on September 13, 2022, and referred to the Transportation, Infrastructure (TIEE). If enacted, the Bill would create new Revenue Authority (the Authority) administrative guidelines for parking operations including new fees for the Residential Parking Program (RPP) and administrative and civil parking penalties for violations from illegally parking commercial buses, trailers, and trucks to restricting all commercial vehicles, and impoundment without notice. The bill highlights updates to six parking related sections of the Code under 123, 127 and particularly in section 188. This bill is a contrast to CB-066-2022 recently reviewed in TIEE committee on Monday, September 12, 2022.

Proposed Updates to Parking Regulations include:

- Penalties - defines new penalties for parking violators of commercial vehicles.
 - administrative citations for violators under the housing code section 302.8
 - Citations for light commercial vehicles defined in section 26.141.01 under 10,000 pounds may be fined \$500 for parking in restricted areas.
 - Citations for heavy commercial trucks over 10,000 pounds may be fined \$1,500 for the first violation and \$3,000 for any subsequent violations
 - restricts habitation in parked cars in the right of way
 - violators may be towed or impounded if parked in the right of way between 6:00pm and 6:00am outside of a municipality
 - Organization – adds new language for the organization of residential parking areas. Owners would have 72 hours to identify a person for the household who will serve as the primary representative for voting to accept or decline the residential parking program.
 - changes termination of a parking by vote of 51% of residents rather than 61%.
 - residential parking permit areas may be terminated no less than 12 months after its designation
 - a vehicle may be immobilized and impounded without prior notice.
 - Permit Fees – adds significant change in policy with the introduction of fees for residential parking permit fees including, owners, visitors and handicap residents adding significant revenue for the program.
 - the number of permits will remain the same at three permits maximum and one visitor permit per household
 - Program Expansion –
 - expands the residential parking permit program to extend to ¼ mile surrounding any Metro Station in the County.
 - restricts parking for commercial vehicles near homes less than 75 feet or 25 yards from the closest property line.
-

Current Law/Background:

Section 26-123 of the County Code sets the parking policy by which the Revenue Authority operates. These policies are uniform in that they largely replicate the regulations and fees other neighboring jurisdictions operate under. Most recently, CB-052-2022, *Fines and Penalties*, which was enacted on September 12, updated a number of fines and penalties. These fees will be effective 45 days after CB-052-2022 becomes law.

Over the last year, the Authority has undergone an ongoing and extensive review of its operations. Part of this review has included an analysis of its Residential Parking Program, fines, fees and violations. With the proposed updates to its parking policy adopted, the Authority is hopeful that these restrictions on parking for commercial vehicles as well as the assigned penalties for violators will encourage a greater compliance to the parking code, ease parking congestion in densely populated areas and bring in some revenue to support operations for the residential parking program.

Resource Personnel:

- Anthony Poteat, COO, Revenue Authority
- Diane Harris, Revenue Authority

Discussion/Policy Analysis:

To date, Prince George’s County is the only jurisdiction in the region that is not charging for its residential parking permits. This program, enforced by 15 parking enforcement officers and which covers the entirety of the County, is also a 24-hour enforcement program. Parking enforcement officers not only monitor permit parking compliance, but provide enforcement for expired registration stickers, handicap placards and parking violations in residential and commercial areas. When it comes to fees, the ever-expanding residential parking permit would see a significant change in policy. The program, which is currently free, under CB-094-2022 would impose a cost for residents, business owners and visitors. As under the current program, residents will be limited to no more than three permits per household. Under State law, the Authority may enforce the restriction on parking to owners of light commercial vehicles, which include pickups, panel trucks and work van up to $\frac{3}{4}$ ton capacity.

CB-052-2022, the Authority’s most recent update to parking fines and penalties presented back in June, was a significant update of the fee and fine and penalty structure. It focused on violations made on Authority property and illegal parking on County roads. It was reported that additional revenues from the update could add approximately \$1.37 million per year. Overall, this Bill will help strengthen enforcement efforts, addresses a number of community concerns related to congested parking in densely populated neighborhoods, and monetizes the residential parking permit program that previously operated completely free to residents.

Concerns include penalizing light weight commercial vehicle owners who have no alternate parking options. The Authority's response is that it has heard numerous and ongoing complaints across the County regarding limiting parking due to commercial vehicles. This bill is their response to those concerns and is focused on enforcing the code.

Issues for Committee Consideration:

- Owners of light commercial vehicles will be cited for violations in restricted parking areas. These vehicles make up a significant portion of certain working-class neighborhoods and *may* potentially marginalize residents in these communities who few options outside of street parking.
 - Owners of heavy trucks and may be issued a citation of \$1,500 for the first violation and \$3,000 for the second violation. These fees are a steep increase from the initial amount of \$500.
 - For each day a vehicle is in violation, the fines is separate. Although this may serve as deterrent, but it may also be regressive in nature.
-

Fiscal Impact:

Direct Impact

Enactment of CB-094-2022 will have a direct favorable fiscal impact on revenues as the Authority will now collect fees for residential parking permits, which it did previously charge for.

- Residential Permit: \$20
- Visitor Permit: \$10
- Metro Parking: \$20
- Handicap Permit: \$20
- Exempt Commercial Parking Permits: \$50

Additionally, the Department of Permitting Inspections and Enforcement may exercise authority to collect fees from violators who inhabit vehicles parked in residential communities. The initial fine is \$500 for light weight vehicles and \$1,500 for heavy commercial vehicles.

Indirect Impact

With enactment of CB-094-2022, the County may realize increased indirect revenue with annual payment from the Authority.

Appropriated in the Current Fiscal Year Budget

No.

Effective Date of Proposed Legislation

The proposed Act shall take effect forty-five (45) calendar days after it becomes law.

If you require additional information, or have any questions about this fiscal impact statement, please call me.