



February 21, 2024

FISCAL AND POLICY NOTE

TO: Jennifer A. Jenkins
Council Administrator

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THRU: Josh Hamlin 
Director of Budget and Policy Analysis

FROM: Alex Hirtle 
Legislative Budget and Policy Analyst

Policy Analysis and Fiscal Impact Statement
CB-005-2024 Revenue Authority- Parking Enforcement

CB-005-2024 (*proposed by:* Council Members Olson, Ivey, and Dernoga)

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

AN ACT CONCERNING REVENUE AUTHORITY - PARKING ENFORCEMENT for the purpose of providing that the Revenue Authority of Prince George's County and the Department of Permitting, Inspections, and Enforcement shall have authorization to enforce certain parking enforcement laws regarding the stopping, standing, or parking on private property for commercial vehicles; and generally regarding Revenue Authority parking enforcement.

Fiscal Summary

Direct Impact:

Expenditures: Negligible expenditures.

Revenues: Possible revenue enhancement.

Indirect Impact:

Potentially favorable.

Legislative Summary:

CB-005-2024 was presented by Council Members Olson, Ivey, and Dernoga on February 13th, 2024, and referred to the Transportation, Infrastructure, Energy, and Environment (TIEE) Committee.

The Bill is intended to enhance enforcement of parking regulations specific to commercial vehicles on private property, especially in residential areas. This legislation modifies which agencies are authorized to enforce the County Code under Subtitle 26, Division 8, Sec. 127.02. The Bill adds the Department of Permitting, Inspections, and Enforcement (DPIE) to (c) of this section, including agencies authorized to enforce commercial vehicle stopping, standing, or parking on private property.

Current Law/Background:

The current Code for Subtitle 26 (Vehicles and Traffic), Division 8 (Parking Regulations), Sec. 26-127.02 refers to Stopping, standing, or parking on private property. It currently refers to authorization "...to enforce this Code provision." Again, under current Code, it only refers to The Revenue of Prince George's County as the sole agency authorized to enforce this section of the Code. CB-005-2024 is specific to commercial vehicles, in that it alters paragraph (c) to include authorization "...to enforce this Code provision *for commercial vehicles*." It also provides for the Department of Permitting, Inspections, and Enforcement (DPIE) as an additional agency authorized to enforce this section of the Code.

This Bill has been proposed due to the continual challenges the County faces in enforcement of commercial vehicles parking unauthorized on private properties, especially in residential areas. Subtitle 27, Div. 3, Sec. 27-441 (9) (E) of the County Code strictly prohibits commercial vehicle parking in residential zones, including zones R-80, R-55, R-35, and R-20 (typical family detached and semi-detached housing neighborhoods). Several Council Members have cited these chronic violations within their districts and understand the challenges of just one agency enforcing this provision of the Code.

Resource Personnel:

- Julio Murillo, Chief of Staff for Council Member Olson
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Discussion/Policy Analysis:

Various agencies handle violations of parking within the County contingent on where the violation occurs. Within the public right-of-way, the Police Department, Department of Public Works, and the Revenue Authority (RA) provide enforcement of violations such as abandoned vehicles, parking in unauthorized areas, and blocking entrance/exit ways, such as driveways and through streets. Private property violations are handled by the Revenue Authority and DPIE, contingent on the type of violation and the location. For example, Subtitle 13 of the County Code addresses abandoned and unregistered vehicles, as defined in Section 13-231, and DPIE is authorized to enforce this violation, in conjunction with the Revenue Authority (DPIE cites the violation, the RA facilitates the towing of the vehicle). ¹

The Revenue Authority's scope of enforcement is limited to vehicles that have properly registered affixed plates, and the violation is visible from the County roadway. ² Such restrictions can create additional challenges to the County in the enforcement mechanism of citing and towing commercial vehicles off of private properties. CB-005-2024 includes DPIE in the enforcement of commercial vehicles parked on private properties, providing more resources and flexibility for the County to pursue these types of violations.

As a note of caution, the change in text this legislation provides makes it unclear who has the authority to enforce non-commercial vehicles on private property (specific to the conditions of the section), given the term "*commercial vehicles*" was added to the legislative language. Staff may want to revisit the change, and instead provide a separate line for DPIE's role in this.

Additionally, Council should review the fine of \$50 for each violation (Sec. 26-127.02 (b)) given this amount may not be high enough to deter chronic violators; a \$50 fine may be seen as just the cost of doing business for some commercial truck owners who park in residential areas to avoid a separate fee for parking in a commercial lot.

Fiscal Impact:

- *Direct Impact*

Enactment of CB-005-2024 should have a negligible fiscal impact on the County, mainly through staff time in the coordination of enforcement with the legislative revision. A favorable impact could occur through increased enforcement efficacy with DPIE added, by the way of additional fine revenues.

- *Indirect Impact*

Enactment of CB-005-2024 could have a favorable indirect impact on the County by facilitation of increased enforcement of violations of commercial trucks on private properties, especially in

¹ Memorandum from DPIE to CM Dernoga, dated Feb. 20, 2024.

² [County Code, Section 21A-301](#), and RA letter to CM Dernoga dated May 5th, 2023.

residential communities. Increased enforcement could provide for an improved quality of life for some residents, with the exclusion of unsightly commercial vehicles parked in their neighborhood, as well as reducing the negative externalities of some commercial vehicles, including such things as vehicular noise and exhaust.

- *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.