

Prince George's County Council

Agenda Item Summary

Meeting Date:	7/24/2013
Reference No.:	CB-048-2013
Draft No.:	2
Proposer(s):	Olson, Franklin
Sponsor(s):	Olson, Franklin
Item Title:	An Act concerning convenience stores and gas stations for the purpose of decreasing robberies in the County by enhancing convenience store and gas station safety; registering convenience stores and gas stations; requiring training of convenience store and gas station employees; providing for security; providing for cash management, providing for visibility and signage; and providing for a grace period and for noncompliance; and generally relating to convenience store and gas station safety.

Drafter:	Colette R. Gresham, Legislative Officer
Resource Personnel:	Thomas S. Mayah, Citizen Services District 3

LEGISLATIVE HISTORY:

Date Presented:	6/18/2013	Executive Action:	8/16/2013 S
Committee Referral:	6/18/2013 - PSFM	Effective Date:	10/1/2013
Committee Action:	6/27/2013 - FAV(A)		
Date Introduced:	7/2/2013		
Public Hearing:			
Council Action (1)	7/24/2013 - ENACTED		
Council Votes:	WC:A, DLD:N, MRF:A, AH:A, ML:A, EO:A, OP:A, IT:-, KT:-		
Pass/Fail:	P		
Remarks:			

AFFECTED CODE SECTIONS:

05-2500, 05-2501, 05-2502, 05-2503, 05-2504, 05-2505, 05-2506

COMMITTEE REPORTS:

PSFM Committee Report

Date 6/27/2013

Committee Vote: Favorable as Amended 4-0 (In Favor: Council Members Toles, Franklin, Harrison and Lehman)

This bill will improve public safety and reduce commercial crime by increasing safety standards for convenience stores and gas stations. Staff gave an overview of the legislation which requires the registration of all convenience store and gas station owners, or their designated representative, with the Department of Environmental Resources (DER), requires employee safety training, participation in a criminal trespass affidavit program, installation of surveillance camera system, cash management limitations, and unobstructed sight lines through store windows. The bill provides for a grace period and a graduated fine for noncompliance. The Committee discussed how the provisions in the bill would be implemented and enforced. Deputy Chief Craig Howard, Prince George's County Police Department, provided statistical information on commercial robberies in the County since 2007 to 2012 which totaled 2,078. He noted that the legislation mirrors best practices currently followed in Houston and New Mexico. Kirk McCauley, industry representative for Exxon and Mobile gas stations, stated that he is most concerned that the bill creates higher costs for small businesses and with the registration provision. Mr. McCauley prefers that the bill be voluntary for a year. Kerry Watson, Office of the County Executive, stated that the Administration agrees that safety is a concern and wants all interested parties to be heard on this issue, but that they have taken no position on the bill at this time. During discussion it was recommended that the Department of Permitting, Inspections, and Enforcement (DPIE) is the proper agency to provide enforcement as opposed to DER. The bill was amended to change all references from DER to DPIE.

The Office of Law has reviewed this legislation and finds it to be in proper legislative form with no legal impediments to its enactment.

The enactment of CB-48-2013 may have a positive fiscal impact on the County from any revenue generated as a result of civil monetary fines issued to those stores who do not comply with the proposed legislation.

BACKGROUND INFORMATION/FISCAL IMPACT:

(Includes reason for proposal, as well as any unique statutory requirements)

The Council considered CB-93-2012 (DR-3) during the 2012 legislative session. After the public hearing held on November 20, 2012, the bill was tabled to allow for more dialogue with convenience store and gas station owners and representatives to derive mutually agreed upon objectives. The proposed legislation establishes reasonable and uniform laws to promote the health, safety and welfare of the citizens and residents of the

County as it relates to convenience stores and gas stations.

CODE INDEX TOPICS:

INCLUSION FILES: