



# THE PRINCE GEORGE'S COUNTY GOVERNMENT

## Office of Audits and Investigations

September 30, 2020

### MEMORANDUM

TO: Robert J. Williams, Jr.  
Council Administrator

William M. Hunt  
Deputy Council Administrator

THRU: Josh Hamlin   
Senior Policy Analyst

FROM: Alex Hirtle  
Policy Analyst *agh*

RE: Policy Analysis and Fiscal Impact Statement  
CB-60-2020 Impoundment

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**CB-60-2020** (proposed by: Chair of the Council at the request of the County Executive)

Assigned to Committee of the Whole (COW)

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AN ACT CONCERNING IMPOUNDMENT for the purpose of modifying the notice requirements and reclaiming and redemption process for impounded vehicles.

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### Fiscal Summary

#### Direct Impact:

*Expenditures:* No anticipated additional expenditures.

*Revenues:* Modest additional revenues as a result of paid parking violations and traffic citations.

#### Indirect Impact:

Potentially positive.

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### **Legislative Summary:**

CB-060-2020 was introduced on September 9th, 2020, by the Council Chair at the request of the County Executive and was referred to the Council of the Whole (COW). The Bill would require that an owner or secured party of a vehicle which has been impounded pay all outstanding parking violations and traffic citations in order to redeem the vehicle.

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### **Current Law/Background:**

Impoundment of vehicles is covered under Subtitle 26 of the County Code. Within Division 18, Section 26-166(a) sets forth the circumstances under which a vehicle may be towed without prior notice. These include a vehicle being illegally parked, a vehicle imposing immediate danger to public safety, an abandoned vehicle, an operator of the vehicle has been taken into custody and impoundment is a reasonable necessity, and other reasons.

Currently, the owner or secured party of the vehicle which has been impounded may redeem the vehicle by paying all towing and storage costs, and the costs of notice incurred by the Police Department accruing up to the scheduled date of the hearing. They are currently not obligated to pay any outstanding parking violations and/or traffic citations.

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### **Resource Personnel:**

Sakinda Skinner, Office of Law

Tracy Benjamin, Office of Law

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### **Discussion/Policy Analysis:**

The County currently does not require the owner or secured party of a vehicle to pay any or all outstanding parking violations and/or traffic citations upon reclaiming the vehicle if it has been impounded. This Bill would require that all outstanding parking violations and traffic citations be paid prior to the release of the vehicle. This could come at the inconvenience of the vehicle owner or secured party but is not an unreasonable obligation given the State may suspend one's driver's license for failure to pay parking violations or traffic citations, and the County can lawfully impound or immobilize a vehicle which has two or more outstanding or unsettled traffic or parking violations.

This Bill may also reinforce the obligation of licensed drivers to pay parking violations and traffic citations in a timely manner given the consequences this legislation may impose.

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### **Fiscal Impact:**

- *Direct Impact*

Adoption of CB-60-2020 will have a modest positive impact on the County budget. A data report provided by the Revenue Authority indicated that for Fiscal Year 2020, uncollected parking and traffic citations issued to vehicles subsequently impounded and reclaimed by the owner amounted to approximately

\$80,000. The Authority does not see that figure significantly fluctuating in this fiscal year, although the figure is not indicative of the current economic and social climate due to COVID19.

- *Indirect Impact*

Adoption of CB-60-2020 may have indirect impacts on the County by reinforcing a licensed driver's obligation to pay their parking violations and traffic citations *on time*, given the consequence of not doing so may delay the ability to reclaim their vehicle.

- *Appropriated in the Current Fiscal Year Budget*

Yes.

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**Issues for Committee Consideration:**

- It is realistic to assume there may be owners of impounded vehicles with outstanding parking violations and/or traffic citations that will experience a delay in reclaiming their vehicles.

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**Effective Date of Proposed Legislation:**

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

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