

**MEMORANDUM**

TO: County Council

FROM: Robert H. Drummer, Senior Legislative Attorney 

SUBJECT: **Introduction:** Expedited Bill 46-10, Motor Vehicles and Traffic – Parking Regulations – Utility Trailers

Expedited Bill 46-10, Motor Vehicles and Traffic – Parking Regulations – Utility Trailers, sponsored by Councilmember Knapp, is scheduled to be introduced on July 27, 2010. A public hearing is tentatively scheduled for September 28 at 1:30 p.m.

Bill 27-08, enacted by the Council on January 27, 2009, restricted parking recreational vehicles and heavy commercial vehicles on a public roadway in residential areas. Since the enactment of this law, the Police Department reports that some business owners of utility trailers have unhooked the utility trailer from the truck in order to park the trailer in residential areas overnight without violating the new restrictions on recreational vehicles and heavy commercial vehicles.

Bill 46-10 would prohibit parking a utility trailer on any public roadway except:

- (1) for up to 18 hours while actively engaged in loading or unloading passengers, merchandise or materials, or
- (2) for up to 48 hours if the vehicle is involuntarily parked because of mechanical failure or other emergency.

This packet contains:

Expedited Bill 46-10  
Legislative Request Report

Circle #

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Expedited Bill No. 46-10  
Concerning: Motor Vehicles and Traffic –  
Parking Regulations – Utility Trailers  
Revised: July 20, 2010 Draft No. 2  
Introduced: July 27, 2010  
Expires: January 27, 2012  
Enacted: \_\_\_\_\_  
Executive: \_\_\_\_\_  
Effective: \_\_\_\_\_  
Sunset Date: None  
Ch. \_\_\_\_\_, Laws of Mont. Co. \_\_\_\_\_

## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

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By: Councilmember Knapp

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**AN EXPEDITED ACT** to:

- (1) prohibit the parking of certain utility trailers in certain areas; and
- (2) generally amend the law regarding vehicle parking.

By amending

Montgomery County Code  
Chapter 31, Motor Vehicles and Traffic  
Sections 31-1 and 31-14

<b>Boldface</b>	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

*The County Council for Montgomery County, Maryland approves the following Act:*

**Sec. 1. Sections 31-1 and 31-14 are amended as follows:**

**33-1. Definitions.**

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them in this article:

\* \* \*

Utility trailer: A general use vehicle designed to be towed by a motor vehicle. A utility trailer includes a:

- (a) homemade trailer;
- (b) small box trailer;
- (c) freight trailer;
- (d) semi-freight trailer;
- (e) boat trailer;
- (f) camping trailer;
- (g) tent trailer;
- (h) travel trailer;
- (i) flatbed trailer; and
- (j) horse trailer.

\* \* \*

**33-14. Parking of heavy commercial vehicles, recreational vehicles, utility trailers, or buses.**

- (a) A person must not park any recreational vehicle or utility trailer on any public roadway except:
  - (1) for up to 18 hours while actively engaged in loading or unloading passengers, merchandise or materials, or
  - (2) for up to 48 hours if the vehicle is involuntarily parked because of mechanical failure or other emergency.

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## LEGISLATIVE REQUEST REPORT

Expedited Bill 46-10

Motor Vehicles and Traffic – Parking Regulations – Utility Trailers

<b>DESCRIPTION:</b>	The Bill would prohibit parking a utility trailer on any public roadway except: (1) for up to 18 hours while actively engaged in loading or unloading passengers, merchandise or materials, or (2) for up to 48 hours if the vehicle is involuntarily parked because of mechanical failure or other emergency.
<b>PROBLEM:</b>	Bill 27-08, enacted by the Council on January 27, 2009, restricted parking recreational vehicles and heavy commercial vehicles on a public roadway in residential areas. Since the enactment of this law, the Police Department reports that some business owners of utility trailers have unhooked the utility trailer from the truck in order to park the trailer in residential areas overnight without violating the new restrictions on recreational vehicles and heavy commercial vehicles.
<b>GOALS AND OBJECTIVES:</b>	To prevent the routine overnight parking of utility trailers on public roadways when not in use.
<b>COORDINATION:</b>	Police
<b>FISCAL IMPACT:</b>	To be requested.
<b>ECONOMIC IMPACT:</b>	To be requested.
<b>EVALUATION:</b>	To be requested.
<b>EXPERIENCE ELSEWHERE:</b>	To be researched.
<b>SOURCE OF INFORMATION:</b>	Robert H. Drummer, Senior Legislative Attorney
<b>APPLICATION WITHIN MUNICIPALITIES:</b>	To be researched.
<b>PENALTIES:</b>	Class B Violation – Fine established by regulation not to exceed \$200.