

# PARKING VIOLATIONS

FC No.: 532  
Date: 03-16-03

Contents:

- I. Policy
- II. Handicapped Parking Violations
- III. Fire Lane Violations
- IV. Diplomats
- V. Disposition
- VI. Voidance of Parking Violation Notice (PVN)
- VII. Parking Violations in the District of Columbia
- VIII. Proponent Unit
- Appendix A: Parking Violation Notice Voidance Memorandum

**I. Policy**

It is the policy of this department to adhere to the Maryland Vehicle Law and the Montgomery County Code pertaining to the issuance and use of the Montgomery County, Maryland, Parking Violation Notice (PVN).

**II. Handicapped Parking Violations**

**A. Policy**

Handicapped parking violations are subject to immediate enforcement action and will be charged under the Montgomery County Code, Chapter 31, Section 31-26A(c). The law is applicable to all parking lots in the county, both public and private, which are open to the general public and where a sign displaying the International Handicapped Logo, which reserves specific spaces for handicapped individuals, is erected. A logo painted on the paved surface is not considered an official designation. (CALEA 61.1.13)

**B. Requirements**

This section of the County Code is designed to prohibit parking in all spaces for handicapped unless the following requirements are observed:

1. An individual who will be getting into or out of the vehicle is handicapped, and
2. A special state registration plate for handicapped individuals or a disabled person's parking permit is displayed on or in the vehicle.

**C. Handicapped Persons**

Officers should keep in mind that there are many different types of handicaps that qualify an individual for a handicapped parking permit. Consequently, where officers observe a permitted vehicle parked in a handicapped space but it is not clear that the handicapped parking space is being used for the convenience of a handicapped individual, officers may make a discreet inquiry as to the reason the vehicle is so parked before taking any enforcement action.

**D. Procedure**

Officers citing a vehicle parked in violation of a handicapped parking sign shall use Montgomery County Code, Chapter 31-26A(c); the fine is \$250.00. If not paid within 15 days, the fine increases to \$265.00.

**III. Fire Lane Violations**

**A. Policy**

Fire lane violations are subject to immediate enforcement action and will be charged under Montgomery County Code, Chapter 31, Section 31-20b(7). The law provides that no person shall stand or park a vehicle, whether occupied or not, except momentarily to pick up or discharge a passenger or passengers, in any fire lane when posted by official sign or proper markings. (CALEA 61.1.13)

**B. Procedure**

Officers citing a vehicle parked in violation of a fire lane parking sign shall use Montgomery County Code, Chapter 31-20b(7); the fine is \$250.00. If not paid within 15 days, the fine increases to \$265.00.

**IV. Diplomats**

***Officers may issue PVNs to vehicles displaying diplomatic registration. Whether or not a PVN is issued, officers will refer to FC 1060, "Towing of Motor Vehicles," prior to moving a vehicle displaying diplomatic registration.***

**V. Disposition**

*District and unit commanders will continue to provide for the return of issued and voided PVNs to the Parking Operations Section, 1104 Spring Street, Suite 100, Silver Spring, MD 20910, for collection and record keeping purposes.*

VI. Voidance of Parking Violation Notice (PVN)

*If an officer commits a clerical error in completing a PVN, or subsequently chooses not to issue the PVN due to mitigating circumstances, then the officer may request that the PVN be voided. When requesting voidance, the officer will:*

- 1. Complete a PVN voidance memorandum (Appendix A). The memorandum is available on the department's intranet.*
- 2. Submit the Voidance Memorandum to the district commander along with the PVN to be voided. If a new PVN was issued to replace the one to be voided, a copy of that PVN must also accompany the memorandum.*
- 3. The district commander (or designee) will review the PVN Voidance Memorandum, ensuring that the requested action is appropriate. If so, the commander (or designee) will endorse the memorandum and forward a copy, along with all copies of the PVN, to the Parking Operations Section via Inter-Office Mail.*
- 4. A second copy of the Voidance Memorandum will be filed by the district commander.*

VII. Parking Violations in the District of Columbia

A. Under some circumstances, the District of Columbia may waive fines associated with parking tickets received by employees who are on official government business in the district.

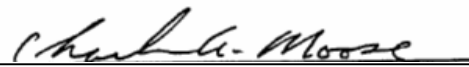
B. Procedure

Employees who receive parking tickets while on official government business in the District of Columbia will immediately forward the ticket along with an explanatory memorandum to **the officer's respective bureau chief**. The memorandum will include the nature of the official business, the urgency of the business, and the steps taken to locate legal parking.

C. Assistant Chiefs Recommendation

The **Bureau Chiefs, or designees**, will review the memorandum and forward a disposition recommendation to the District of Columbia Bureau of Adjudication. This recommendation will be based on the urgency of the official business and the reasonableness of the employee's efforts to locate lawful parking. The employee will be notified of the bureau chief's recommendation and the subsequent disposition.

VIII. Proponent Unit: District Court Liaison



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Chief of Police