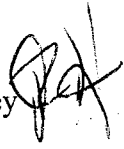


**MEMORANDUM**

September 22, 2017

TO: County Council

FROM: Josh Hamlin, Legislative Attorney 

SUBJECT: **Action:** Bill 14-17, Motor Vehicles and Traffic – Off-Street Parking Regulations – Public Parking Facilities

|                                                                                                                 |
|-----------------------------------------------------------------------------------------------------------------|
| <b>Transportation, Infrastructure, Energy and Environment Committee recommendation (3-0): Enact Bill 14-17.</b> |
|-----------------------------------------------------------------------------------------------------------------|

Bill 14-17, Motor Vehicles and Traffic – Off-Street Parking Regulations – Public Parking Facilities, sponsored by Lead Sponsor Council President Berliner at the request of the County Executive, was introduced on May 2, 2017. A public hearing was held on June 13 and a Transportation, Infrastructure, Energy and Environment Committee worksession was held on September 14.

Bill 14-17 would increase the amount of time that a person may park a vehicle continuously in an off-street public parking facility from 24 hours to 14 days.

**Public Hearing**

There was one speaker at the public hearing on the Bill held on June 13. Jose Thommana, Chief of the Division of Parking Management in the Department of Transportation (DOT), spoke in support of the Bill, saying that the proposed change would “provide flexibility for customers of publicly owned off-street parking facilities,” particularly benefiting residents in mixed-use areas who do not use their vehicles every day (see ©8).

**Background**

Under current County law, except for emergency repairs when the vehicle cannot be driven, a person must not park any vehicle on a public parking facility for longer than 24 hours, unless otherwise authorized by Executive Order. Bill 14-17 would extend this time limit to 14 days, retaining the proviso that it may be otherwise set by Executive Order. In his memo that accompanied the Bill (©4), the Executive indicated that the change would “accommodate the growth of mixed-use activity centers in the Parking Lot Districts (PLDs). According to the Executive, the change would “ensure the increasing number of urban residents and their visitors will be allowed to park uninterrupted for an extended period of time, unless signed otherwise.”

Bill 14-17 will essentially change the default time limit for parking in a public parking facility from 24 hours to 14 days. It will not otherwise affect existing parking space designations such as long-term metered parking or carpool spaces. The likely, and intended, primary beneficiaries of the change are Parking Convenience Sticker (PCS)<sup>1</sup> permit holders and their guests. DOT indicated that there have been incidents where resident PCS holders have been ticketed when leaving their vehicles for periods exceeding 24 hours; this change would largely eliminate that problem. The Bill would not change where PCS permit holders can park, and DOT would be able to alter the number and time limitations for parking should the change result in any capacity problems. Data on public parking facility usage are gathered and evaluated monthly, which allows DOT to monitor and, if necessary, make such adjustments to address capacity problems. The Bill also would not affect the existing PCS permit system.

At the public hearing, Councilmember Elrich asked whether the proposed longer allowed parking in off-street public parking facilities would invite abuse – *i.e.*, would people park there and take a bus or train trip, leaving their car there because it is cheaper than airport or other parking? In response to this concern, the Department has indicated that it can manage the parking using several strategies including marking certain facilities where it is possible to go to Metro or near Megabus stop locations through targeted 24-hour parking restrictions. Additionally, in locations where 14-day parking is allowed, it can be managed using the short-term/long-term parking mix; 14-day parking would only be allowed at long-term metered spaces. As noted above, the Department continually monitors monthly occupancy data of the parking facilities and can adjust restrictions as needed.

**Committee recommendation:** Enact Bill 14-17.

| This packet contains:                | <u>Circle #</u> |
|--------------------------------------|-----------------|
| Bill 14-17                           | 1               |
| Legislative Request Report           | 3               |
| County Executive Memo                | 4               |
| Fiscal and Economic Impact statement | 5               |
| Jose Thommana testimony              | 8               |

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<sup>1</sup> <https://www.montgomerycountymd.gov/dot-parking/permits.html>

Bill No. 14-17  
Concerning: Motor Vehicles and Traffic –  
Off-Street Parking Regulations –  
Public Parking Facilities  
Revised: 04/24/2017 Draft No. 1  
Introduced: May 2, 2017  
Expires: November 2, 2018  
Enacted: \_\_\_\_\_  
Executive: \_\_\_\_\_  
Effective: \_\_\_\_\_  
Sunset Date: None  
Ch. \_\_\_\_\_, Laws of Mont. Co. \_\_\_\_\_

## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

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Lead Sponsor: Council President at the request of the County Executive

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**AN ACT to:**

- (1) increase the amount of time that a person may park a vehicle in an off-street public parking facility; and
- (2) generally amend the law governing parking violations.

By amending

Montgomery County Code  
Chapter 31, Motor Vehicles and Traffic  
Section 31-26

|                              |                                                            |
|------------------------------|------------------------------------------------------------|
| <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. Section 31-26 is amended as follows:**

**31-26. Public parking facilities.**

Except temporarily for the purpose of and while actually engaged in loading or unloading passengers or for emergency repairs when the vehicle cannot be driven, a person must not park any vehicle on a public parking facility:

\* \* \*

(7) for longer than [24 hours, except when otherwise authorized by Executive order] 14 consecutive days in surface parking lots or garages, except when otherwise authorized by Executive order;

\* \* \*

*Approved:*

\_\_\_\_\_  
Roger Berliner, President, County Council

\_\_\_\_\_  
Date

*Approved:*

\_\_\_\_\_  
Isiah Leggett, County Executive

\_\_\_\_\_  
Date

*This is a correct copy of Council action.*

\_\_\_\_\_  
Linda M. Lauer, Clerk of the Council

\_\_\_\_\_  
Date

## LEGISLATIVE REQUEST REPORT

Bill 14-17

*Motor Vehicles and Traffic – Off-Street Parking Regulations – Public Parking Facilities*

|                                           |                                                                                                                                                                                                 |
|-------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>DESCRIPTION:</b>                       | The bill increases the time a vehicle is permitted to continuously park in an off-street public parking facility from 24 hours to 14 days.                                                      |
| <b>PROBLEM:</b>                           | The county's current policy of prohibiting users from parking for more than 24 hours in public off-street facilities does not align with the needs of the county's burgeoning urban population. |
| <b>GOALS AND OBJECTIVES:</b>              | To streamline work flow processes and support the county's increasing downtown population with flexible parking options.                                                                        |
| <b>COORDINATION:</b>                      | Department of Transportation                                                                                                                                                                    |
| <b>FISCAL IMPACT:</b>                     | None; parking rates will remain unchanged                                                                                                                                                       |
| <b>ECONOMIC IMPACT:</b>                   | To be requested.                                                                                                                                                                                |
| <b>EVALUATION:</b>                        | To be requested.                                                                                                                                                                                |
| <b>EXPERIENCE ELSEWHERE:</b>              | N/A                                                                                                                                                                                             |
| <b>SOURCE OF INFORMATION:</b>             | Division of Parking Management                                                                                                                                                                  |
| <b>APPLICATION WITHIN MUNICIPALITIES:</b> | To be researched.                                                                                                                                                                               |
| <b>PENALTIES:</b>                         | \$60 (per Resolution No. 18-547)                                                                                                                                                                |



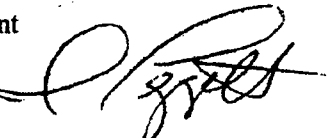
OFFICE OF THE COUNTY EXECUTIVE  
ROCKVILLE, MARYLAND 20850

Isiah Leggett  
County Executive

**MEMORANDUM**

April 10, 2017

TO: Roger Berliner, Council President

FROM: Isiah Leggett, County Executive 

RE: Amendments to County Code **Chapter 60** to Consolidate Montgomery Hills PLD and Silver Spring PLD into a single district and to **Chapter 31** to increase the continuous time a vehicle may park in an off-street facility

I request that you introduce the attached Chapter 60 and Chapter 31 Amendments. Both bills will be effective July 1, 2017. The Chapter 60 Amendment merges the Montgomery Hills PLD with the Silver Spring PLD. The Chapter 31 Amendment increases the time a vehicle is permitted to continuously park in an off-street public parking facility from 24 hours to 14 days.

The Amendment to Chapter 60 will create a unified district. The county proposes to consolidate the Montgomery Hills PLD into the Silver Spring PLD. The Silver Spring PLD boundaries will be extended to encompass the existing Montgomery Hills PLD. The Montgomery Hills PLD is a low supply, low demand district and this consideration simplifies budgetary, policy, recordkeeping and public information matters. A resolution will be sought to provide that this unification will not impact the different pricing rates in the districts.

The Amendment to Chapter 31 will accommodate the growth of mixed-use activity centers in the PLDs. The county proposes permitting vehicles to continuously park in off-street public parking facilities for a maximum of 14 days. This change will align with existing conditions and thus ensure the increasing number of urban residents and their visitors will be allowed to park uninterrupted for an extended period of time, unless signed otherwise.

**Attachments**

1. Chapter 60 amendment
2. Chapter 31-26 amendment

cc: Al Roshdieh, Department of Transportation  
Jose Thommana, Division of Parking Management

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**Fiscal Impact Statement**  
**Bill XX-17 – Transportation (Parking) - Amendments to County Code Chapter 31**

**1. Legislative Summary**

This bill would increase the time a vehicle is permitted to continuously park in an off-street PLD owned parking facility from 24 hours to 14 days. This change is proposed to accommodate the needs of customers, which are trending more towards mixed-use customers from a commercially-dominated user base. This proposed legislation would provide flexibility for longer lengths of stay.

**2. An estimate of changes in County revenues and expenditures regardless of whether the revenues or expenditures are assumed in the recommended or approved budget. Includes source of information, assumptions, and methodologies used.**

This bill does not change the parking rates for parking, creating no change to the revenues or expenditures. There is no projected impact to utilization of parking facilities.

**3. Revenue and expenditure estimates covering at least the next 6 fiscal years.**

As per the response to #2, there is no projected impact over the next 6 fiscal years.

**4. An actuarial analysis through the entire amortization period for each bill that would affect retiree pension or group insurance costs.**

Not applicable.

**5. An estimate of expenditures related to County's information technology (IT) systems, including Enterprise Resource Planning (ERP) systems.**

Not applicable.

**6. Later actions that may affect future revenue and expenditures if the bill authorizes future spending.**

Not applicable.

**7. An estimate of the staff time needed to implement the bill.**

Not applicable.

- 8. An explanation of how the addition of new staff responsibilities would affect other duties.**

Not applicable.

- 9. An estimate of costs when an additional appropriation is needed.**

No additional appropriation is needed.

- 10. A description of any variable that could affect revenue and cost estimates.**

Not applicable.

- 11. Ranges of revenue or expenditures that are uncertain or difficult to project.**

Not applicable.

- 12. If a bill is likely to have no fiscal impact, why that is the case.**

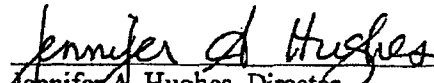
This bill is likely to have no fiscal impact as it does not change the parking rates, and makes no adjustments to staffing or other expenditures.

- 13. Other fiscal impacts or comments.**

Not applicable.

- 14. The following contributed to and concurred with this analysis:**

Corey Orlosky, Office of Management and Budget  
Jeremy Souders, MCDOT, Division of Parking Management  
Jose Thommana, MCDOT, Division of Parking Management

  
Jennifer A. Hughes, Director  
Office of Management and Budget

4/10/17  
Date

**Economic Impact Statement**  
**Bill xx-17 Transportation (Parking) - Amendments to County Code Chapter 31**

**Background:**

This bill would increase the time a vehicle is permitted to continuously park in an off-street Parking Lot District (PLD) owned parking facility from 24 hours to 14 days. This change is proposed to accommodate the needs of customers, which are trending more towards mixed-use customers from a commercially-dominated user base. This proposed legislation would provide flexibility for longer lengths of stay.

**1. The sources of information, assumptions, and methodologies used.**

This legislation does not have an economic impact since it does not change the parking rates or anticipated utilization rates for properties associated with the PLDs, creating no change to the revenues assumed in the County Executive's FY18 recommended budget.

**2. A description of any variable that could affect the economic impact estimates.**

This legislation does not have an economic impact.

**3. The Bill's positive or negative effect, if any on employment, spending, savings, investment, incomes, and property values in the County.**

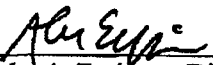
Please see the answer to question 1.

**4. If a Bill is likely to have no economic impact, why is that the case?**

Please see the answer to question 1.

**5. The following contributed to or concurred with this analysis:**

David Platt, Dennis Hetman, and Robert Hagedoorn, Finance.

  
\_\_\_\_\_  
Alexandre A. Espinosa, Director  
Department of Finance

4/7/2017  
Date

**TESTIMONY ON BEHALF OF COUNTY EXECUTIVE ISIAH LEGGETT  
ON BILL 14-17, MOTOR VEHICLES AND TRAFFIC – OFF-STREET  
PARKING REGULATIONS – PUBLIC PARKING FACILITIES**

June 13, 2017

Good afternoon, Council President Berliner and Members of the Council. I am Jose Thommana, Chief of the Division of Parking Management in the Department of Transportation. I am here today to testify on behalf of County Executive Isiah Leggett in support of Bill 14-17 which is an amendment to County Code Chapter 31.

This amendment would provide flexibility for customers of publicly owned off-street parking facilities by extending the time permitted to park uninterrupted from 24 hours to 14 days.

The current law, prohibiting parking at County owned and operated parking facilities for more than 24 hours, does not align with the needs of the County's growing urban population and undercuts the County's expressed transportation goals. Many residents who live in mixed-use areas, such as downtown Bethesda and Silver Spring, do not use their vehicles every day, preferring to walk, bike, or use transit. This amendment will accommodate and benefit those customers and bring policy into harmony with the County's transportation goals, ensuring that residents and their visitors will be allowed to park their vehicles for up to 14 consecutive days.

Thank you for the opportunity to testify today and your favorable consideration of this bill.