

Bill No. 27-08
Concerning: Motor Vehicles and Traffic –
Parking Regulations – Commercial
Vehicles, Recreational Vehicles, and
Buses
Revised: 1/27/09 Draft No. 8
Introduced: June 24, 2008
Enacted: January 27, 2009
Executive: February 9, 2009
Effective: July 1, 2009
Sunset Date: None
Ch. 1, Laws of Mont. Co. 2009

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND**

By: Council President

AN ACT to:

- (1) prohibit the parking of certain commercial vehicles, buses, and recreational vehicles in certain areas; and
- (2) generally amend the law regarding vehicle parking.

By amending

Montgomery County Code
Chapter 31, Parking
Sections 31-1, ~~[[and]]~~ 31-14, and 31-20

Boldface	<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:

1 **Sec. 1. Sections 31-1, ~~[[and]] 31-14, and 31-20~~ are amended as follows:**

2 **31-1. Definitions.**

3 * * *

4 ~~[[Block: That property abutting one side of a street and lying between the 2 nearest~~
5 ~~intersecting or intercepting streets or the nearest intersecting or intercepting street and~~
6 ~~railroad right-of-way, unsubdivided acreage, river or live stream or between any of~~
7 ~~the foregoing and any other barrier to the continuity of development.]]~~

8 * * *

9 Heavy Commercial vehicle: Any motor vehicle and [any] tandem axle trailer or
10 semitrailer designed and used for carrying freight or merchandise [and every motor
11 vehicle] or used in [any way in the] furtherance of any commercial enterprise [.] that
12 has:

- 13 (a) a gross vehicle weight (GVW) of more than 10,000 pounds;
- 14 (b) a manufacturer's rated capacity of more than 1 ton;
- 15 (c) a length of more than [19] 21 feet measured from the extremes of the
16 vehicle, including any object loaded on the vehicle; or
- 17 (d) a height of more than 8 feet with properly inflated tires, measured from
18 the ground to the highest part of the vehicle, including racks, but not
19 antennas.

20 [Such term] A heavy commercial vehicle does not include a motor vehicle owned by
21 the County or other governmental agency ~~[[and used primarily for carrying~~
22 passengers or materials]] [or other vehicle of a capacity of one (1) ton or less] or a
23 farm machine or vehicle used for agriculture.

24 * * *

25 Recreational vehicle: A duly licensed and registered vehicle, with or without motor
26 power, which is solely intended for the leisure use of the operator and guests. For the
27 purpose of this Chapter the following is a recreational vehicle:

- 28 (a) motor home;
- 29 (b) travel trailer;
- 30 (c) camper or camping trailer including truck insert or collapsible unit; or
- 31 (d) non-freight trailer, as defined by the State Motor Vehicle
- 32 Administration, used to transport other leisure equipment such as a boat,
- 33 horse, motorcycle, show car, race car, snowmobile, or bicycle.

* * *

35 **31-14. Parking of heavy commercial vehicles, recreational vehicles, or buses**
 36 **[[near [abutting] residences, schools, [etc] churches, hospitals or**
 37 **playgrounds]].**

- 38 **(a)** [It shall be unlawful to] A person must not park any [[commercial
 39 vehicle,]] recreational vehicle [[, or bus]] on [that side of] any public
 40 [road] roadway [[if either side of the street [abutting] abuts a block
 41 containing [any] a private residence, apartment house, church, school,
 42 hospital or playground, except:]]
- 43 **[(a)** [when such] a vehicle that is [actually] engaged in loading or unloading
 44 passengers, merchandise or materials;[:]
- 45 **(b)** [when] a commercial vehicle used by the owner or operator [actively]
 46 when engaged in work on the premises of the residence, apartment
 47 house, church, school, hospital or playground;[:]
- 48 **(c)** a bus that [At authorized terminal stands of bus routes operating under
 49 a permit from the state public service commission,] stops [may be made
 50 for a sufficient] for a period of time, not to exceed [thirty (30)] 30
 51 minutes, [for the purpose of maintaining schedules] to maintain a
 52 schedule at an authorized terminal stand for a bus route operating under
 53 a permit from the State Public Service Commission;[:]

54 (d) [This section shall not apply to] a vehicle ~~that~~ for more than 18 hours
 55 unless it is involuntarily parked because of mechanical failure or other
 56 emergency], provided such vehicle is removed within for [[a
 57 reasonable period of time; or]] 48 hours or less.

58 [[e) a recreational vehicle parked not more than 12 hours.]]

59 (b) A person may park a heavy commercial vehicle or a bus on a public
 60 roadway where both sides of the street abut a property zoned for a
 61 commercial or industrial use, unless parking is otherwise prohibited by
 62 an official sign or other law applicable to all motor vehicles. A person
 63 must not park a heavy commercial vehicle or bus on any other public
 64 roadway unless it is:

- 65 (1) a vehicle engaged in loading or unloading passengers,
- 66 merchandise or materials;
- 67 (2) a heavy commercial vehicle used by the owner or operator when
- 68 engaged in work on the property abutting the street;
- 69 (3) a bus that stops for a period of time, not to exceed 30 minutes, to
- 70 maintain a schedule at an authorized terminal stand for a bus
- 71 route operating under a permit from the State Public Service
- 72 Commission;
- 73 (4) a vehicle that is involuntarily parked because of mechanical
- 74 failure or other emergency for 48 hours or less; or
- 75 (5) a public contractor's vehicle as defined in §31-1.

76 **31-20. Parking prohibited, specifically.**

77 Except when necessary to avoid conflict with other traffic or in compliance
 78 with law or the directions of a police officer or official traffic-control device, ~~[[no]]~~ a
 79 person ~~[[shall]]~~ must not:

- 80 (a) Stop, stand or park a vehicle, whether occupied or not:

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* * *

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(10) Between a sidewalk or roadway ~~[[edge]]~~ curb and the property edge of a public street or highway, ~~[[when parking is prohibited by official sign adjacent to the roadway or median strip dividing any public street or highway]]~~ except in an emergency.

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Sec. 2. Effective date. This Act takes effect ~~[[120 days after it becomes law]]~~

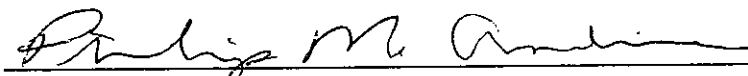
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on July 1, 2009.

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Approved:

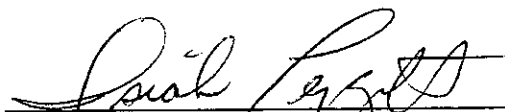
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 January 29, 2009
Philip M. Andrews, President, County Council Date

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Approved:

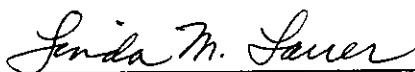
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 Feb 9, 2009
Isiah Leggett, County Executive Date

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This is a correct copy of Council action.

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 Feb 9, 2009
Linda M. Lauer, Clerk of the Council Date