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

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The County Council for Montgomery County, Maryland approves the following Act:
Sec. 1. Sections 31-1, [[and]] 31-14, and 31-20 are amended as follows:

31-1. Definitions.

* * *

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

* * *

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

(a) a gross vehicle weight (GVW) of more than 10,000 pounds;

(b) a manufacturer’s rated capacity of more than 1 ton;

(c) a length of more than [19] 21 feet measured from the extremes of the vehicle, including any object loaded on the vehicle; or

(d) a height of more than 8 feet with properly inflated tires, measured from the ground to the highest part of the vehicle, including racks, but not antennas.

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

* * *

Recreational vehicle: A duly licensed and registered vehicle, with or without motor power, which is solely intended for the leisure use of the operator and guests. For the purpose of this Chapter the following is a recreational vehicle:
motor home;
(b) travel trailer;
(c) camper or camping trailer including truck insert or collapsible unit; or
(d) non-freight trailer, as defined by the State Motor Vehicle Administration, used to transport other leisure equipment such as a boat, horse, motorcycle, show car, race car, snowmobile, or bicycle.

31-14. Parking of heavy commercial vehicles, recreational vehicles, or buses
[(near [abutting] residences, schools, [etc] churches, hospitals or playgrounds)].

(a) [It shall be unlawful to] A person must not park any [[commercial vehicle,]] recreational vehicle [[, or bus]] on [that side of] any public [road] roadway [[if either side of the street [abutting] abuts a block containing [any] a private residence, apartment house, church, school, hospital or playground, except:]]

[(a) [when such] a vehicle that is [actually] engaged in loading or unloading passengers, merchandise or materials:]

(b) [when] a commercial vehicle used by the owner or operator [actively] when engaged in work on the premises of the residence, apartment house, church, school, hospital or playground:

(c) a bus that [At authorized terminal stands of bus routes operating under a permit from the state public service commission,] stops [may be made for a sufficient] for a period of time, not to exceed [thirty (30)] 30 minutes, [for the purpose of maintaining schedules] to maintain a schedule at an authorized terminal stand for a bus route operating under a permit from the State Public Service Commission:
(d) [This section shall not apply to] a vehicle that] for more than 18 hours unless it is involuntarily parked because of mechanical failure or other emergency[, provided such vehicle is removed within] for [a reasonable period of time; or]] 48 hours or less.

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

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

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

31-20. Parking prohibited, specifically.

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

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

Sec. 2. Effective date. This Act takes effect [[120 days after it becomes law]] on July 1, 2009.

Approved:

Philip M. Andrews, President, County Council

February 29, 2009

Isiah Leggett, County Executive

This is a correct copy of Council action.

Linda M. Lauer, Clerk of the Council

February 9, 2009