

Department of Legislative Services
Maryland General Assembly
2026 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

House Bill 1569

(Delegate Young, *et al.*)

Environment and Transportation

Judicial Proceedings

Parking Enforcement - Vehicles in Custody or Control of Auto Repair or Storage Facility

This bill establishes that, if a parking citation is issued for a motor vehicle while it is in the custody or control of an auto repair or storage facility, the auto repair or storage facility, and not the registered owner, may be held liable for the parking citation as well as any associated fines or late fees. The bill prohibits an auto repair or storage facility from requiring a customer to waive their rights established under the bill as a condition of service. The bill does not limit the authority of a parking enforcement agency to enforce parking laws under its jurisdiction.

Fiscal Summary

State Effect: The bill does not materially affect State finances or operations.

Local Effect: The bill does not materially affect local government finances or operations.

Small Business Effect: Potential meaningful.

Analysis

Bill Summary: “Auto repair or storage facility” means a person engaged in the repair, servicing, storage, or maintenance of motor vehicles for compensation but does not include a self-service storage facility. “Custody or control” means possession of a motor vehicle pursuant to a repair order, service agreement, or other authorization from the registered owner.

If a parking citation is issued while a motor vehicle is in the custody or control of an auto repair or storage facility, the registered owner of the motor vehicle may not be held liable for the parking citation or for any associated fine or late fee arising from the parking citation. Instead, the auto repair or storage facility *may* be held liable for the parking violation.

It is an affirmative defense to liability for a parking citation if the cited registered owner demonstrates that the motor vehicle was in the custody or control of an auto repair or storage facility at the time of the violation. If a registered owner is found not liable by asserting the affirmative defense, a court must (1) immediately waive all fines and fees and (2) dismiss the citation against the registered owner, regardless of whether liability is transferable to the auto repair or storage facility.

If sufficient evidence is available to indicate that a motor vehicle was in the custody or control of an auto repair or storage facility at the time of the violation, the parking enforcement agency may reissue the citation for the parking violation directly to the auto repair or storage facility.

Current Law:

Authority to Regulate Parking

Generally, any State agency authorized by law and any political subdivision of the State may adopt ordinances or regulations that:

- regulate the parking of vehicles;
- provide for the impounding of vehicles parked in violation of the ordinances or regulations;
- regulate the towing of vehicles from publicly owned and privately owned parking lots; and
- provide for the issuance of a citation by an officer for a violation of an ordinance or regulation that is adopted pursuant to this authorization.

Citation for Parking Violations

An officer who discovers a vehicle parked in violation of an ordinance or regulation must (1) deliver a citation to the driver or, if the vehicle is unattended, attach a citation to the vehicle in a conspicuous place and (2) keep a copy of the citation, bearing the officer's certification under penalty of perjury that the facts stated in the citation are true. In the absence of the driver, the registered owner of the vehicle is presumed to be the person receiving the citation.

Effect of Parking Violations on Vehicle Registration

If a person cited for a parking violation fails to pay the fine by the specified date, failed to file a notice of an intention to stand trial, or failed to appear for trial for the violation, the Motor Vehicle Administration (MVA) may not register or transfer the registration of the vehicle. MVA may suspend the registration of the vehicle if it is notified that the violator is a chronic offender. MVA must continue to maintain this position until it is notified that the cited person satisfied the charge, appeared for trial, or pleaded guilty and paid the fine.

Small Business Effect: The bill may have a meaningful effect on small business auto repair and storage facilities that are held liable for parking violations and any associated fines or late fees as a result of the bill.

Additional Comments: The bill refers to a “self-service storage facility” as defined in Section 18-501 of the Transportation Article; this analysis assumes the reference is intended to be to Section 18-501 of the Commercial Law Article.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: None.

Information Source(s): Anne Arundel, Baltimore, Cecil, Frederick, Montgomery, and Somerset counties; cities of Frederick and Havre de Grace; Maryland Municipal League; Judiciary (Administrative Office of the Courts); Maryland Department of Transportation; Department of Legislative Services

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