

Resolution No.:	19-278
Introduced:	October 29, 2019
Adopted:	October 29, 2019

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND**

Lead Sponsor: County Council

SUBJECT: Approval of Proposed Regulation 20-19, *Repeal of Executive Regulation 29-96, Maximum Rates for Motor Vehicle Immobilization on Private Property*

Background

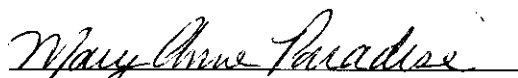
1. On September 5, 2019, the Council received proposed Regulation 20-19, *Repeal of Executive Regulation 29-96, Maximum Rates for Motor Vehicle Immobilization on Private Property*.
2. The Council must review the regulation under method (2) of Section 2A-15 of the Code.
3. Under method (2), if the Council does not approve or disapprove a regulation within 60 calendar days after the Council receives the regulation, the regulation automatically takes effect.
4. Regulation 20-20 repeals the provision that sets a maximum rate for the release of an immobilized vehicle on private property. Vehicle immobilization is now prohibited under Bill No. 17-15.
5. The Council's Public Safety Committee held a worksession on the proposed regulation on October 14, 2019. The Committee unanimously recommended approval of Regulation 20-19.

Action

The County Council for Montgomery County, Maryland approves the following regulation:

Regulation 20-19, *Repeal of Executive Regulation 29-96, Maximum Rates for Motor Vehicle Immobilization on Private Property*, is approved.

This is a correct copy of Council action.


Mary Anne Paradise
Acting Clerk of the Council



MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive • 101 Monroe Street • Rockville, Maryland 20850

Subject Maximum Rate for Motor Vehicle Immobilization on Private Property	Number 20-19
Originating Department Office of Consumer Protection	Effective Date October 29, 2019

Montgomery County Regulation on:
**MAXIMUM RATE FOR MOTOR VEHICLE IMMOBILIZATION ON
PRIVATE PROPERTY**

Issued by: County Executive

Regulation No.: 20-19

COMCOR 30C.11.01

Authority: Code Section 30C-13

Council Review: Method 2 under Code Section 2A-15

Register Vol. 36, Issue 5

Comment Deadline: May 31, 2019

Effective Date: October 29, 2019

Supersedes Executive Regulation 29-96

SUMMARY: Regulation 29-96 set a maximum rate that a person may charge to release an immobilized vehicle on private property. However, immobilizing vehicles pursuant to Chapter 30C is no longer permitted. Executive Regulation 20-19 repeals Executive Regulation 29-96 *in toto* to be in compliance therewith.

ADDRESS: Written comments on this regulation should be sent to:
Office of Consumer Protection
100 Maryland Avenue, Room 330
Rockville, MD 20850

STAFF: Tracy D. Rezvani, Administrator, (240) 777-3774

BACKGROUND: Chapter 30C-13 was amended in 2015 L.M.C., ch. 40 (Bill No.17-15) to prohibit immobilization rendering Executive regulation 29-96 moot. Accordingly, there is no longer a need to establish rates for an action that is prohibited

[Section 1. DEFINITIONS

1.1 The terms used in the regulation have the same meaning as in Chapter 30C, Montgomery County Code. Each piece of a tractor trailer combination is considered to be a vehicle.

Section 2. MAXIMUM IMMOBILIZATION RATE RELEASE

2.1 A person must not charge more to release an immobilized vehicle than \$50.

Section 3. SEVERABILITY

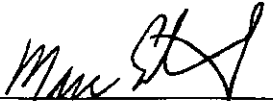


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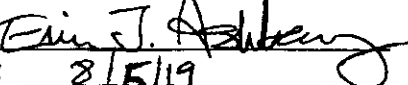
Subject Maximum Rate for Motor Vehicle Immobilization on Private Property	Number 20-19
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3.1 The provisions of this regulation are severable and if any provision, clause, sentence, section, word, or part is held illegal, unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity, unconstitutionality, or inapplicability will not affect or impair any of the remaining provisions, clauses, sentences, sections, words, or parts of this regulation or its application to other persons or circumstances.]

Approved: 
Marc Elrich, County Executive

Date: 8/19/19

Approved as to Form and Legality
Office of the County Attorney

By: 
Date: 8/5/19