

Honorable Robert F. Stanton, Police Commissioner (cont'd)

Ordinance would not be applicable to all vehicular traffic because by its terms it would apply only to one type of vehicular traffic, namely, trucks. On the other hand, if a court would use the latter construction, the proposed Ordinance would be within the scope of the power to prescribe reasonable traffic regulations. The question, therefore, is by no means free from doubt. The City can pursue one of two courses of action: (1) It could have introduced an ordinance along the lines suggested and litigate the question involved in a test case, or (2) it could seek from the Legislature a statute clarifying the matter, and thereby put the question at rest.

In my opinion the proposal to limit the application of the proposed Ordinance to trucks engaged in interstate commerce would be an unreasonable classification, and one which would arbitrarily and unreasonably discriminate against interstate commerce, in violation of the apposite provisions of the Federal Constitution.

Should you deem it expedient and desirable, I will be glad to prepare a draft of a bill making it clear that Baltimore City has the right by ordinance to exclude trucks from such streets as it may deem necessary and will request one of the Senators to introduce the same in the Senate of the General Assembly of Maryland.

Very truly yours,

(signed) CHARLES C. G. EVANS
City Solicitor

CCGE/RRS