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By: ~~Delegates Leopold, Frush, Boschert, McMillan, Cadden, V. Clagett,  
Costa, Dwyer, Gilleland, Love, McConkey, Menes, Moe, and Sophocleus~~  
**Anne Arundel County Delegation**

Introduced and read first time: January 21, 2004  
Assigned to: Environmental Matters

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Committee Report: Favorable with amendments  
House action: Adopted  
Read second time: March 17, 2004

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CHAPTER 156

1 AN ACT concerning

2 **Anne Arundel County - Highways - Solicitation of Money or Donations from**  
3 **Occupants of Vehicles - County Licensing Program Authorized**

4 FOR the purpose of authorizing the Anne Arundel County Council to enact, by  
5 ordinance, a certain licensing program for individuals who are of a certain age or  
6 older and certain organizations that wish to solicit money or donations from the  
7 occupants of vehicles by standing in a roadway, median divider, or intersection  
8 in Anne Arundel County; providing that the licensing program, if enacted, may  
9 impose a fee for the license in an amount not to exceed the county's cost to  
10 administer the licensing program and may provide for an exemption for an  
11 individual who is unable to pay the fee ~~and any other exemption from the fee~~  
12 ~~that the county council considers appropriate or necessary; requiring an~~  
13 ordinance that imposes a fee under this Act on an applicant that is a qualified  
14 organization organized on a national or statewide basis and having more than  
15 one county or local chapter in the State to impose one fee to be paid by the  
16 national or statewide organization to cover all of the county or local chapters in  
17 the State; providing that if the county council enacts a licensing program  
18 authorized by this Act, an individual or organization that decides not to seek to  
19 become licensed under the program ~~or that is denied a license under the~~  
20 ~~program~~ is prohibited from standing in a roadway, median divider, or  
21 intersection in Anne Arundel County to solicit money or donations of any kind  
22 from the occupants of vehicles; requiring, if the county council enacts a licensing  
23 program authorized by this Act, the Anne Arundel County Police Department,  
24 on or before a certain date after a certain occurrence, to report to the Anne  
25 Arundel County Delegation to the General Assembly on certain matters; and  
26 generally relating to the solicitation of money or donations from occupants of

1 vehicles by certain individuals and organizations in roadways in Anne Arundel  
2 County.

3 BY repealing and reenacting, with amendments,  
4 Article - Transportation  
5 Section 21-507  
6 Annotated Code of Maryland  
7 (2002 Replacement Volume and 2003 Supplement)

8 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
9 MARYLAND, That the Laws of Maryland read as follows:

10 **Article - Transportation**

11 21-507.

12 (a) Except for the occupant of a disabled vehicle who seeks the aid of another  
13 vehicle, a person may not stand in a roadway to solicit a ride, employment, or  
14 business from the occupant of any vehicle.

15 (b) A person may not stand on or near a highway to solicit any other person to  
16 watch or guard any vehicle while it is parked or about to be parked on a highway.

17 (c) In Charles County, Harford County, and Washington County, a person may  
18 not stand in a roadway, median divider, or intersection to solicit money or donations of  
19 any kind from the occupant of a vehicle.

20 (d) (1) In Prince George's County:

21 (i) A child under the age of 15 years may not stand in a roadway,  
22 median divider, or intersection to solicit money or donations of any kind from the  
23 occupant of a vehicle; and

24 (ii) An adult may not cause, encourage, allow, or petition a child  
25 under the age of 15 years to stand in a roadway, median divider, or intersection to  
26 solicit money or donations of any kind from the occupant of a vehicle.

27 (2) A child under the age of 15 years may not be found guilty or  
28 adjudicated delinquent for a violation of paragraph (1)(i) of this subsection if an adult  
29 caused, encouraged, allowed, or petitioned the child in violation of paragraph (1)(ii) of  
30 this subsection.

31 (E) (1) THIS SUBSECTION APPLIES TO ANNE ARUNDEL COUNTY.

32 (2) IN THIS SUBSECTION, "QUALIFIED ORGANIZATION" MEANS A FIRE  
33 COMPANY OR A BONA FIDE RELIGIOUS, FRATERNAL, CIVIC, WAR VETERANS', OR  
34 CHARITABLE ORGANIZATION.

1 (3) THE ANNE ARUNDEL COUNTY COUNCIL MAY, BY ORDINANCE, ENACT  
 2 A LICENSING PROGRAM FOR INDIVIDUALS WHO ARE 18 YEARS OLD OR OLDER AND  
 3 QUALIFIED ORGANIZATIONS THAT WISH TO SOLICIT MONEY OR DONATIONS FROM  
 4 THE OCCUPANT OF A VEHICLE BY STANDING IN A ROADWAY, MEDIAN DIVIDER, OR  
 5 INTERSECTION.

6 (4) THE RESTRICTION ON THE AGE OF INDIVIDUALS WHO MAY BE  
 7 LICENSED UNDER THE AUTHORITY GRANTED TO THE ANNE ARUNDEL COUNTY  
 8 COUNCIL UNDER PARAGRAPH (3) OF THIS SUBSECTION APPLIES TO INDIVIDUALS  
 9 WHO PARTICIPATE IN THE SOLICITATION OF DONATIONS AS MEMBERS OR ON  
 10 BEHALF OF THE QUALIFIED ORGANIZATION.

11 (5) IF THE COUNTY COUNCIL ENACTS AN ORDINANCE ESTABLISHING A  
 12 LICENSING PROGRAM AUTHORIZED BY PARAGRAPH (3) OF THIS SUBSECTION, THE  
 13 ORDINANCE:

14 (I) MAY IMPOSE ~~AGAINST ON~~ AN APPLICANT THAT IS AN  
 15 INDIVIDUAL OR A QUALIFIED ORGANIZATION A FEE FOR THE LICENSE:

16 ~~1.~~ 1. SUBJECT TO ~~SUBPARAGRAPH ITEM~~(II) OF THIS  
 17 PARAGRAPH, IN AN AMOUNT NOT TO EXCEED THE COUNTY'S COST TO ADMINISTER  
 18 THE PROGRAM; ~~AND~~

19 ~~2.~~ 2. ~~WITH RESPECT TO A QUALIFIED ORGANIZATION THAT IS~~  
 20 ~~ORGANIZED ON A NATIONAL OR STATEWIDE BASIS AND THAT MAY HAVE COUNTY OR~~  
 21 ~~LOCAL CHAPTERS OR UNITS IN THIS STATE, ONLY AGAINST THE NATIONAL OR~~  
 22 ~~STATEWIDE ORGANIZATION;~~

23 (II) MAY NOT IMPOSE A FEE EXCEEDING \$100 PER YEAR FOR EACH  
 24 APPLICANT FOR A LICENSE OR A RENEWAL OF A LICENSE;

25 (III) SHALL INCLUDE PROVISIONS FOR THE DURATION AND  
 26 RENEWAL OF THE LICENSE;

27 (IV) MAY REQUIRE THAT AN APPLICANT OR LICENSEE PROVIDE  
 28 NOTICE TO THE COUNTY AS TO THE DATES ON WHICH THE SOLICITATION WILL  
 29 OCCUR; AND

30 (V) MAY PROVIDE FOR:

31 1. AN EXEMPTION FROM THE FEE FOR AN INDIVIDUAL WHO  
 32 IS UNABLE TO PAY THE FEE; AND

33 2. PROCEDURES FOR AN INDIVIDUAL TO COMPLY WITH IN  
 34 ORDER TO DEMONSTRATE THE INDIVIDUAL'S INABILITY TO PAY THE FEE; ~~AND~~

35 ~~3. ANY OTHER EXEMPTION FROM THE FEE THAT THE~~  
 36 ~~COUNTY COUNCIL CONSIDERS APPROPRIATE OR NECESSARY.~~

1           (6) AN ORDINANCE THAT IMPOSES A FEE UNDER PARAGRAPH (5) OF  
2 THIS SUBSECTION ON AN APPLICANT THAT IS A QUALIFIED ORGANIZATION  
3 ORGANIZED ON A NATIONAL OR STATEWIDE BASIS AND HAVING MORE THAN ONE  
4 COUNTY OR LOCAL CHAPTER IN THE STATE SHALL IMPOSE ONE FEE TO BE PAID BY  
5 THE NATIONAL OR STATEWIDE ORGANIZATION TO COVER ALL OF THE COUNTY OR  
6 LOCAL CHAPTERS IN THE STATE.

7           ~~(6)~~ (7) (I) IF THE COUNTY COUNCIL ENACTS AN ORDINANCE  
8 ESTABLISHING A LICENSING PROGRAM AUTHORIZED BY PARAGRAPH (3) OF THIS  
9 SUBSECTION, AN INDIVIDUAL OR ORGANIZATION THAT DECIDES NOT TO SEEK TO  
10 BECOME LICENSED UNDER THE PROGRAM ~~OR THAT IS DENIED A LICENSE UNDER~~  
11 ~~THE PROGRAM~~ MAY NOT STAND IN A ROADWAY, MEDIAN DIVIDER, OR INTERSECTION  
12 IN ANNE ARUNDEL COUNTY TO SOLICIT MONEY OR DONATIONS OF ANY KIND FROM  
13 THE OCCUPANT OF A VEHICLE.

14           (II) IF THE COUNTY COUNCIL DOES NOT CHOOSE TO ENACT AN  
15 ORDINANCE TO ESTABLISH A LICENSING PROGRAM AS AUTHORIZED BY PARAGRAPH  
16 (3) OF THIS SUBSECTION, THE PROVISIONS OF THIS SUBSECTION MAY NOT BE  
17 CONSTRUED TO PROHIBIT AN INDIVIDUAL OR QUALIFIED ORGANIZATION FROM  
18 STANDING IN A ROADWAY, MEDIAN DIVIDER, OR INTERSECTION IN THE COUNTY TO  
19 SOLICIT MONEY OR DONATIONS FROM THE OCCUPANT OF A VEHICLE.

20           ~~(7)~~ (8) IF THE COUNTY COUNCIL ENACTS AN ORDINANCE  
21 ESTABLISHING A LICENSING PROGRAM AUTHORIZED BY PARAGRAPH (3) OF THIS  
22 SUBSECTION, THEN ON OR BEFORE DECEMBER 1 OF THE CALENDAR YEAR THAT  
23 OCCURS AFTER THE ANNIVERSARY OF THE FIRST 12 MONTHS OF THE  
24 IMPLEMENTATION OF THE LICENSING PROGRAM, THE ANNE ARUNDEL COUNTY  
25 POLICE DEPARTMENT SHALL REPORT IN WRITING TO THE ANNE ARUNDEL COUNTY  
26 DELEGATION TO THE GENERAL ASSEMBLY ON THE EFFECTIVENESS OF THE COUNTY  
27 POLICE DEPARTMENT'S ENFORCEMENT OF THE PROVISIONS OF THIS SUBSECTION  
28 WITH RESPECT TO INDIVIDUALS AND ORGANIZATIONS TO SOLICIT MONEY OR  
29 DONATIONS ON ROADWAYS, MEDIAN DIVIDERS, OR INTERSECTIONS IN THE COUNTY  
30 FROM THE OCCUPANTS OF VEHICLES.

31       SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take  
32 effect July 1, 2004.