R5 5lr0291

By: Montgomery County Delegation

Introduced and read first time: February 1, 2005

Assigned to: Environmental Matters

A BILL ENTITLED

1	AN ACT concerning
2	
4 5 6 7	occupant of a vehicle; and generally relating to restrictions on the use of
8 9 10 11	Section 21-507 Annotated Code of Maryland

- SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF 13
- 14 MARYLAND, That the Laws of Maryland read as follows:
- 15 **Article - Transportation**

16 21-507.

- 17 Except for the occupant of a disabled vehicle who seeks the aid of another
- 18 vehicle, a person may not stand in a roadway to solicit a ride, employment, or
- business from the occupant of any vehicle.
- 20 A person may not stand on or near a highway to solicit any other person to 21 watch or guard any vehicle while it is parked or about to be parked on a highway.
- 22 In Charles County, Frederick County, Harford County, MONTGOMERY
- 23 COUNTY, and Washington County, a person may not stand in a roadway, median 24 divider, or intersection to solicit money or donations of any kind from the occupant of
- 25 a vehicle.
- 26 (d) (1) In Prince George's County:

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	median divider, or int		A child under the age of 15 years may not stand in a roadway, to solicit money or donations of any kind from the	
			An adult may not cause, encourage, allow, or petition a child and in a roadway, median divider, or intersection to any kind from the occupant of a vehicle.	
9	(2) A child under the age of 15 years may not be found guilty or adjudicated delinquent for a violation of paragraph (1)(i) of this subsection if an adult caused, encouraged, allowed, or petitioned the child in violation of paragraph (1)(ii) of this subsection.			
11	(e) (1)	This sub	osection applies to Anne Arundel County.	
12 13	(2) bona fide religious, fi		ubsection, "qualified organization" means a fire company or a civic, war veterans', or charitable organization.	
16	4 (3) The Anne Arundel County Council may, by ordinance, enact a 5 licensing program for individuals who are 18 years old or older and qualified 6 organizations that wish to solicit money or donations from the occupant of a vehicle 7 by standing in a roadway, median divider, or intersection.			
20	18 (4) The restriction on the age of individuals who may be licensed under 19 the authority granted to the Anne Arundel County Council under paragraph (3) of 20 this subsection applies to individuals who participate in the solicitation of donations 21 as members or on behalf of the qualified organization.			
22 23	(5) program authorized b		ounty Council enacts an ordinance establishing a licensing aph (3) of this subsection, the ordinance:	
			May impose on an applicant that is an individual or a qualified use, subject to item (ii) of this paragraph, in an amount to administer the program;	
27 28	for a license or a rene	(ii) ewal of a	May not impose a fee exceeding \$100 per year for each applicant license;	
29 30	license;	(iii)	Shall include provisions for the duration and renewal of the	
31 32	county as to the dates	(iv) s on whic	May require that an applicant or licensee provide notice to the h the solicitation will occur; and	
33		(v)	May provide for:	
34 35	to pay the fee; and		1. An exemption from the fee for an individual who is unable	

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- 1 Procedures for an individual to comply with in order to 2 demonstrate the individual's inability to pay the fee. 3 (6)An ordinance that imposes a fee under paragraph (5) of this 4 subsection on an applicant that is a qualified organization organized on a national or 5 statewide basis and having more than one county or local chapter in the State shall 6 impose one fee to be paid by the national or statewide organization to cover all of the 7 county or local chapters in the State. 8 If the County Council enacts an ordinance establishing a (7)9 licensing program authorized by paragraph (3) of this subsection, an individual or 10 organization that decides not to seek to become licensed under the program may not 11 stand in a roadway, median divider, or intersection in Anne Arundel County to solicit 12 money or donations of any kind from the occupant of a vehicle. 13 (ii) If the County Council does not choose to enact an ordinance to 14 establish a licensing program as authorized by paragraph (3) of this subsection, the 15 provisions of this subsection may not be construed to prohibit an individual or 16 qualified organization from standing in a roadway, median divider, or intersection in 17 the county to solicit money or donations from the occupant of a vehicle. 18 If the County Council enacts an ordinance establishing a licensing program authorized by paragraph (3) of this subsection, then on or before December 1 19 20 of the calendar year that occurs after the anniversary of the first 12 months of the 21 implementation of the licensing program, the Anne Arundel County Police 22 Department shall report in writing to the Anne Arundel County Delegation to the 23 General Assembly on the effectiveness of the county police department's enforcement 24 of the provisions of this subsection with respect to individuals and organizations to 25 solicit money or donations on roadways, median dividers, or intersections in the 26 county from the occupants of vehicles. 27
- 27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect 28 October 1, 2005.