

# HOUSE BILL 320

R2

8lr1227

---

By: **Delegates Stukes, DeBoy, Kirk, McHale, Oaks, and Tarrant**

Introduced and read first time: January 24, 2008

Assigned to: Environmental Matters

---

## A BILL ENTITLED

1 AN ACT concerning

2 **Transit Vehicles and Facilities – Prohibited Acts – Use of Obscene Language**

3 FOR the purpose of prohibiting a person from using obscene language in certain  
4 transit vehicles and transit facilities; providing for a certain penalty; and  
5 generally relating to the use of obscene language in certain transit vehicles and  
6 transit facilities.

7 BY repealing and reenacting, with amendments,  
8 Article – Transportation  
9 Section 7–705  
10 Annotated Code of Maryland  
11 (2001 Replacement Volume and 2007 Supplement)

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

14 **Article – Transportation**

15 7–705.

16 (a) It is unlawful for any person entering a transit facility or transit vehicle  
17 owned or controlled by the Administration for the purpose of obtaining transit service  
18 or a train owned or controlled by the Administration or operated by a railroad  
19 company under contract to the Administration to provide passenger railroad service  
20 to:

21 (1) Fail to pay the applicable fare charged by the Administration in  
22 the required manner; or

23 (2) Fail to:

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 (i) Pay the applicable fare;
- 2 (ii) Exhibit proof of payment; or
- 3 (iii) Provide truthful identification.

4 (b) It is unlawful for any person to engage in any of the following acts in any  
5 transit vehicle or transit facility, designed for the boarding of a transit vehicle, which  
6 is owned or controlled by the Administration or a train owned or controlled by the  
7 Administration or operated by a railroad company under contract to the  
8 Administration to provide passenger railroad service:

- 9 (1) Expectorate;
- 10 (2) Smoke or carry a lighted or smoldering pipe, cigar, or cigarette;
- 11 (3) Consume food or drink, or carry any open food or beverage  
12 container;
- 13 (4) Discard litter, except into receptacles designated for that purpose;
- 14 (5) Play or operate any radio, cassette, cartridge, tape player, or  
15 similar electronic device or musical instruments, unless such device is connected to an  
16 earphone that limits the sound to the hearing of the individual user;
- 17 (6) Carry or possess any explosives, acids, concealed weapons or other  
18 dangerous articles;
- 19 (7) Carry or possess any live animals, except seeing-eye animals and  
20 hearing-ear animals properly harnessed and accompanied by a blind person or a deaf  
21 person, and small animals properly packaged;
- 22 (8) Obstruct, hinder, interfere with, or otherwise disrupt or disturb  
23 the operation or operator of a transit vehicle or railroad passenger car;
- 24 (9) Board any transit vehicle through the rear exit door, unless so  
25 directed by an employee or agent of the Maryland Transit Administration;
- 26 (10) Urinate or defecate, except in restrooms;
- 27 (11) Fail to move to the rear of any transit vehicle when requested to do  
28 so by the operator or a police officer;
- 29 (12) Fail to vacate a seat designated for the elderly or handicapped  
30 when requested to do so by the transit vehicle operator, train conductor, or a police  
31 officer; [or]

1           (13) Except by contract with the Administration, solicit the purchase of  
2 any goods or services; **OR**

3           **(14) USE OBSCENE LANGUAGE.**

4           (c) As used in this section, “elderly and handicapped person” means any  
5 person who, by reason of illness, injury, age, congenital malfunction, or other  
6 permanent or temporary incapacity or disability, is unable to use transit facilities and  
7 transit services or railroad facilities and railroad services as effectively as a person  
8 who is not so affected.

9           (d) The provisions of subsection (b)(3), (5), (9), and (13) of this section do not  
10 apply to charter bus service rendered by the Administration. The provisions of  
11 subsection (b)(2) and (13) of this section do not apply to excursion train service  
12 rendered by the Administration or by a railroad company under contract to the  
13 Administration. The provisions of subsection (b)(3) of this section do not apply to any  
14 railroad service rendered by the Administration or by a railroad company under  
15 contract to the Administration.

16           (e) Any person who violates any provision of this section is guilty of a  
17 misdemeanor and is subject to a fine of not more than \$500 for each offense.

18           (f) This section does not prohibit enforcement of any other State or local law  
19 or regulation that is consistent with the provisions of this section.

20           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
21 October 1, 2008.