

HOUSE BILL 102

R1, L2
HB 1152/15 – ENV

6lr0811

By: **Delegates B. Barnes and Kipke**

Introduced and read first time: January 18, 2016

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Anne Arundel County – Solicitation of Money or Donations From Occupants of**
3 **Vehicles – Prohibitions and Permit Program**

4 FOR the purpose of altering a prohibition, in Anne Arundel County, on a person standing
5 in a certain highway to solicit money or donations to prohibit a person from standing,
6 or causing, encouraging, allowing, or petitioning another to stand, in a roadway, a
7 median divider, or an intersection to solicit money or donations from the occupant of
8 a vehicle, subject to a certain exception; authorizing the governing body of the county
9 or of a municipal corporation in the county to enact a certain permit program to allow
10 individuals who are at least a certain age and representatives of certain
11 organizations who are at least a certain age to solicit money or donations from the
12 occupant of a vehicle by standing in a roadway, a median divider, or an intersection
13 in the county or municipal corporation; requiring an applicant for a certain permit
14 to submit proof of a certain plan that includes a requirement that a certain individual
15 has received traffic safety training; providing that a certain permit be effective only
16 for a certain period of time; providing that an individual or a certain organization
17 may obtain only a certain number of a certain permit per calendar year; and
18 generally relating to the solicitation and collection of money or donations from
19 occupants of vehicles in Anne Arundel County.

20 BY repealing

21 Article – Transportation
22 Section 21–507(e)
23 Annotated Code of Maryland
24 (2012 Replacement Volume and 2015 Supplement)

25 BY repealing and reenacting, with amendments,

26 Article – Transportation
27 Section 21–507(f)
28 Annotated Code of Maryland
29 (2012 Replacement Volume and 2015 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 BY renumbering
 2 Article – Transportation
 3 Section 21–507(g) through (j), respectively
 4 to be Section 21–507(f) through (i), respectively
 5 Annotated Code of Maryland
 6 (2012 Replacement Volume and 2015 Supplement)

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

9 **Article – Transportation**

10 21–507.

11 [(e) (1) This subsection applies to Anne Arundel County.

12 (2) (i) A person may not stand in a highway to:

13 1. Solicit money or donations of any kind from the occupant
 14 of a vehicle; or

15 2. Advertise any message.

16 (ii) “Highway” includes:

17 1. Rights-of-way, roadway surfaces, roadway subgrades,
 18 shoulders, median dividers, drainage facilities and structures, related stormwater
 19 management facilities and structures, roadway cuts, roadway fills, guardrails, bridges,
 20 highway grade separation structures, railroad grade separations, tunnels, overpasses,
 21 underpasses, interchanges, entrance plazas, approaches, and other structures forming an
 22 integral part of a street, road, or highway, including bicycle and walking paths; and

23 2. Any other property acquired for the construction,
 24 operation, or use of the highway.]

25 [(f) (E) (1) This subsection applies only to Allegany County, ANNE
 26 ARUNDEL COUNTY, and Cecil County.

27 (2) In this subsection, “qualified organization” means a fire company or
 28 bona fide religious, fraternal, civic, war veterans’, or charitable organization.

29 (3) Except as provided in paragraph (4) of this subsection, a person may
 30 not:

1 (i) Stand in a roadway, median divider, or intersection to solicit
2 money or donations of any kind from the occupant of a vehicle; [or]

3 (ii) Cause, encourage, allow, or petition another to stand in a
4 roadway, median divider, or intersection to solicit money or donations of any kind from the
5 occupant of a vehicle; **OR**

6 **(III) IN ANNE ARUNDEL COUNTY, STAND IN A ROADWAY, A**
7 **MEDIAN DIVIDER, OR AN INTERSECTION TO ADVERTISE ANY MESSAGE.**

8 (4) (i) The governing body of a county or the governing body of a
9 municipal corporation in a county may, by appropriate resolution or ordinance, enact a
10 permit program to allow individuals who are at least 18 years old and representatives of
11 qualified organizations who are at least 18 years old to solicit money or donations from the
12 occupant of a vehicle by standing in a roadway, median divider, or intersection in the county
13 or municipal corporation.

14 (ii) If the governing body of a county or of a municipal corporation in
15 the county enacts a resolution or ordinance establishing a permit program authorized by
16 this paragraph, the resolution or ordinance shall:

17 1. **A.** Require an applicant for a permit to submit proof
18 that the individual or qualified organization has a plan for safely soliciting money or
19 donations from the proposed location; **AND**

20 **B. IN ANNE ARUNDEL COUNTY, REQUIRE THE PLAN FOR**
21 **SAFELY SOLICITING MONEY OR DONATIONS TO INCLUDE A REQUIREMENT THAT**
22 **EACH INDIVIDUAL WHO WILL SOLICIT MONEY OR DONATIONS HAS RECEIVED**
23 **TRAFFIC SAFETY TRAINING;**

24 2. Provide that a permit is effective for:

25 A. A period of 1 calendar day in Cecil County; [or]

26 B. A period not to exceed 5 calendar days in Allegany County;

27 **OR**

28 **C. A PERIOD NOT TO EXCEED 7 CALENDAR DAYS IN ANNE**
29 **ARUNDEL COUNTY; and**

30 3. Allow an individual or a qualified organization to obtain
31 only one permit in the county or municipal corporation per calendar year.

32 **SECTION 2. AND BE IT FURTHER ENACTED,** That Section(s) 21–507(g) through
33 (j), respectively, of Article – Transportation of the Annotated Code of Maryland be
34 renumbered to be Section(s) 21–507(f) through (i), respectively.

1 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2016.