

HOUSE BILL 273

R1, L2
HB 102/16 – ENV

9lr1450

By: **Delegate B. Barnes**

Introduced and read first time: January 25, 2019

Assigned to: Environment and Transportation

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 13, 2019

CHAPTER _____

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 Anne
9 Arundel County or of a municipal corporation in Anne Arundel County to enact a
10 certain permit program to allow individuals who are at least a certain age and
11 representatives of certain organizations who are at least a certain age to solicit
12 money or donations from the occupant of a vehicle by standing in a roadway, a
13 median divider, or an intersection in the county or municipal corporation; requiring
14 that, in Anne Arundel County, an applicant for a certain permit submit proof of a
15 certain plan that includes a requirement that a certain individual receive traffic
16 safety training; providing that a certain permit be effective only for a certain period
17 of time in Anne Arundel County; providing that, in Anne Arundel County, an
18 individual or a certain organization may obtain only a certain number of a certain
19 permit per calendar year; providing for the termination of this Act; and generally
20 relating to the solicitation and collection of money or donations from occupants of
21 vehicles in Anne Arundel County.

22 BY repealing
23 Article – Transportation
24 Section 21–507(e)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 Annotated Code of Maryland
2 (2012 Replacement Volume and 2018 Supplement)

3 BY repealing and reenacting, with amendments,
4 Article – Transportation
5 Section 21–507(f)
6 Annotated Code of Maryland
7 (2012 Replacement Volume and 2018 Supplement)

8 BY renumbering
9 Article – Transportation
10 Section 21–507(g) through (j), respectively
11 to be Section 21–507(f) through (i), respectively
12 Annotated Code of Maryland
13 (2012 Replacement Volume and 2018 Supplement)

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

16 **Article – Transportation**

17 21–507.

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

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

20 1. Solicit money or donations of any kind from the occupant
21 of a vehicle; or

22 2. Advertise any message.

23 (ii) “Highway” includes:

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

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

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

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

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

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

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

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

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

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

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

24 **B. IN ANNE ARUNDEL COUNTY, REQUIRE THE PLAN FOR**
25 **SAFELY SOLICITING MONEY OR DONATIONS TO INCLUDE A REQUIREMENT THAT**
26 **EACH INDIVIDUAL WHO WILL SOLICIT MONEY OR DONATIONS RECEIVE TRAFFIC**
27 **SAFETY TRAINING;**

28 2. Provide that a permit is effective for:

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

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

31 **OR**

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

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

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

6 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 October 1, 2019. It shall remain effective for a period of 3 years and, at the end of September
8 30, 2022, this Act, with no further action required by the General Assembly, shall be
9 abrogated and of no further force and effect.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.