
By: Senators Jimeno and Hollinger

Introduced and read first time: February 1, 1996

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Aviation Administration - State-Owned Airports - Regulation of Commercial**
3 **Activity and Motor Vehicle Parking**

4 FOR the purpose of authorizing the Maryland Aviation Administration to adopt certain
5 regulations governing the conduct of commercial activity at State-owned airports;
6 authorizing the Administration to adopt by regulation a schedule of fines for
7 commercial activity that violates the regulations; authorizing the Administration to
8 impose a fine from the schedule of fines on a person violating the regulations;
9 authorizing the Administration to adopt by regulation a schedule of fines for
10 parking violations at State-owned airports; authorizing the Administration to
11 impose a fine from the schedule of fines for parking violations at State-owned
12 airports; making stylistic changes; and generally relating to Administration
13 regulation of commercial activities and parking at State-owned airports.

14 BY repealing and reenacting, without amendments,
15 Article - Transportation
16 Section 5-101(b)
17 Annotated Code of Maryland
18 (1993 Replacement Volume and 1995 Supplement)

19 BY repealing and reenacting, with amendments,
20 Article - Transportation
21 Section 5-204(d), 5-408(c), 5-426, and 5-427
22 Annotated Code of Maryland
23 (1993 Replacement Volume and 1995 Supplement)

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

26 **Article - Transportation**

27 5-101.

28 (b) "Administration" means the Maryland Aviation Administration.

29 5-204.

30 (d) With the approval of the Secretary, the Administration may:

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1 (1) ADOPT REGULATIONS GOVERNING THE CONDUCT OF COMMERCIAL
2 ACTIVITY, AS DEFINED UNDER § 5-408(C) OF THIS SUBTITLE, AT STATE-OWNED
3 AIRPORTS;

4 (2) ADOPT BY REGULATION A SCHEDULE OF FINES FOR CONDUCTING
5 COMMERCIAL ACTIVITY IN VIOLATION OF REGULATIONS ADOPTED UNDER ITEM (1)
6 OF THIS SUBSECTION;

7 (3) IMPOSE A FINE ON A PERSON CONDUCTING COMMERCIAL ACTIVITY
8 IN VIOLATION OF REGULATIONS ADOPTED UNDER ITEM (1) OF THIS SUBSECTION;

9 [(1)] (4) Recommend necessary legislation to advance the interests of this
10 State in aeronautics;

11 [(2)] (5) Represent this State in aeronautics matters before any agency of
12 this or any other state or of the federal government;

13 [(3)] (6) Participate on behalf of this State or any political subdivision or
14 citizen of this State as party plaintiff or defendant or as intervenor in any controversy that
15 involves the interest of this State in aeronautics; and

16 [(4)] (7) Adopt rules and regulations for the functioning and administration
17 of the Administration.

18 5-408.

19 (c) (1) In this subsection "commercial activity" means the sale, merchandising,
20 marketing, or promotion of [any] goods or services.

21 (2) Commercial activity is permitted at an airport operated by the
22 Administration only when expressly authorized by and in a manner prescribed by the
23 Administration.

24 (3) THE ADMINISTRATION MAY IMPOSE A FINE AS PROVIDED IN THE
25 SCHEDULE OF FINES ADOPTED UNDER § 5-204(D)(2) OF THIS TITLE ON A PERSON
26 CONDUCTING COMMERCIAL ACTIVITY IN VIOLATION OF THIS SUBSECTION.

27 5-426.

28 (a) [After] SUBJECT TO SUBSECTION (B) OF THIS SECTION, AFTER holding a
29 public hearing, the governing body of [any] A publicly owned airport in this State may
30 adopt regulations for:

31 (1) The parking of motor vehicles at the airport, including provision of a
32 uniform system for accessible parking for individuals with disabilities to enhance the
33 safety of people with disabilities in conformity with:

34 (i) The "Uniform System for Parking for Persons With Disabilities"
35 (23 CFR Part 1235);

36 (ii) The "Americans with Disabilities Act Accessibility Guidelines for
37 Buildings and Facilities" (Appendix A to 28 CFR Part 36 and 36 CFR Part 1191.1); and

38 (iii) 14 CFR Part 382.23(a);

3

1 (2) The movement of traffic at the airport;

2 (3) Safety at the airport; and

3 (4) The preservation of order at the airport.

4 (b) AFTER HOLDING A PUBLIC HEARING, THE ADMINISTRATION MAY ADOPT
5 BY REGULATION A SCHEDULE OF FINES FOR VIOLATIONS OF PARKING
6 REGULATIONS ADOPTED UNDER SUBSECTION (A)(1) OF THIS SECTION AT A
7 STATE-OWNED AIRPORT.

8 (C) All regulations adopted under this section shall be posted conspicuously in a
9 public place at the airport.

10 5-427.

11 (a) [Any] EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, A
12 person who violates a parking regulation adopted and posted under § 5-426 of this
13 subtitle is subject to a fine not exceeding \$50. [A violation of a parking regulation is not
14 a misdemeanor.]

15 (b) A PERSON WHO VIOLATES A PARKING REGULATION ADOPTED AND
16 POSTED UNDER § 5-426 OF THIS SUBTITLE AT A STATE-OWNED AIRPORT IS SUBJECT
17 TO A FINE AS PROVIDED IN THE SCHEDULE OF FINES ADOPTED BY THE
18 ADMINISTRATION UNDER § 5-426(B) OF THIS SUBTITLE.

19 (C) A VIOLATION OF A PARKING REGULATION IS NOT A MISDEMEANOR.

20 (D) [Any] A person who violates [any other] ANOTHER rule or regulation
21 adopted and posted under § 5-426 of this subtitle is guilty of a misdemeanor and on
22 conviction is subject to a fine not exceeding \$500.

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
24 October 1, 1996.