

SENATE BILL 443

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R7

2004 Regular Session  
4r2635  
CF HB 283

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By: **Senator Brinkley**

Introduced and read first time: February 5, 2004

Assigned to: Judicial Proceedings

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A BILL ENTITLED

1 AN ACT concerning

2 **Frederick County - Highways - Prohibition on Use for Solicitations**

3 FOR the purpose of authorizing the County Commissioners of Frederick County to  
4 prohibit the use of a controlled access highway in the county's jurisdiction by a  
5 person soliciting money, donations, employment, business, or a ride from an  
6 occupant of a vehicle on the controlled access highway; prohibiting, in Frederick  
7 County, a person from standing in a roadway, median divider, or intersection to  
8 solicit money or donations from an occupant of a vehicle; and generally relating  
9 to restrictions on the use of highways in Frederick County for solicitation.

10 BY repealing and reenacting, without amendments,  
11 Article - Transportation  
12 Section 21-101(d)  
13 Annotated Code of Maryland  
14 (2002 Replacement Volume and 2003 Supplement)

15 BY repealing and reenacting, with amendments,  
16 Article - Transportation  
17 Section 21-313 and 21-507  
18 Annotated Code of Maryland  
19 (2002 Replacement Volume and 2003 Supplement)

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

22 **Article - Transportation**

23 21-101.

24 (d) "Controlled access highway" means a highway or roadway to or from which  
25 persons, including the owners or occupants of abutting lands, have no right of access  
26 except at the points and in the manner determined by the public authority with  
27 jurisdiction over the highway or roadway.

1 21-313.

2 (a) The State Highway Administration, by order, or any local authority, by  
3 ordinance, may prohibit the use of any controlled access highway in its jurisdiction by  
4 parades, funeral processions, bicycles, or other nonmotorized traffic or by any person  
5 operating a motorcycle.

6 (b) The County Commissioners of Charles County [or], FREDERICK COUNTY,  
7 AND Washington County, by ordinance, may prohibit the use of any controlled access  
8 highway in the county's jurisdiction by any person to solicit money, donations of any  
9 kind, employment, business, or a ride from the occupant of any vehicle on the  
10 controlled access highway.

11 (c) The State Highway Administration or the local authority adopting any  
12 prohibition under this section shall place and maintain signs on the controlled access  
13 highway to which the prohibition is applicable. If signs are so placed, a person may  
14 not disobey the restrictions stated on them.

15 21-507.

16 (a) Except for the occupant of a disabled vehicle who seeks the aid of another  
17 vehicle, a person may not stand in a roadway to solicit a ride, employment, or  
18 business from the occupant of any vehicle.

19 (b) A person may not stand on or near a highway to solicit any other person to  
20 watch or guard any vehicle while it is parked or about to be parked on a highway.

21 (c) In Charles County, FREDERICK COUNTY, Harford County, and Washington  
22 County, a person may not stand in a roadway, median divider, or intersection to solicit  
23 money or donations of any kind from the occupant of a vehicle.

24 (d) (1) In Prince George's County:

25 (i) A child under the age of 15 years may not stand in a roadway,  
26 median divider, or intersection to solicit money or donations of any kind from the  
27 occupant of a vehicle; and

28 (ii) An adult may not cause, encourage, allow, or petition a child  
29 under the age of 15 years to stand in a roadway, median divider, or intersection to  
30 solicit money or donations of any kind from the occupant of a vehicle.

31 (2) A child under the age of 15 years may not be found guilty or  
32 adjudicated delinquent for a violation of paragraph (1)(i) of this subsection if an adult  
33 caused, encouraged, allowed, or petitioned the child in violation of paragraph (1)(ii) of  
34 this subsection.

35 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
36 October 1, 2004.