

SENATE BILL 443

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2004 Regular Session
4r2635
CF HB 283

By: **Senator Brinkley**

Introduced and read first time: February 5, 2004

Assigned to: Judicial Proceedings

Committee Report: Favorable

Senate action: Adopted

Read second time: March 18, 2004

CHAPTER _____

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:

1

Article - Transportation

2 21-101.

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

7 21-313.

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

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

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

21 21-507.

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

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

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

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

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

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

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

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