

**Department of Legislative Services**  
Maryland General Assembly  
2004 Session

**FISCAL AND POLICY NOTE**

Senate Bill 443

(Senator Brinkley)

Judicial Proceedings

Environmental Matters

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

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This bill prohibits, in Frederick County, a person from standing in a roadway, median divider, or intersection to solicit money or donations of any kind from the occupant of a vehicle. The bill also authorizes the Frederick County Commissioners, by ordinance, to prohibit the use of any controlled access highway to solicit money, donations of any kind, employment, business, or a ride from the occupant of any vehicle on the controlled access highway.

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**Fiscal Summary**

**State Effect:** Potential minimal increase in general fund revenues from fines received in District Court. The penalty established by the District Court for these violations is \$50.

**Local Effect:** Frederick County expenditures for enforcement, and any notification about the prohibition, could be handled with existing resources. Revenues would not be affected.

**Small Business Effect:** Minimal.

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**Analysis**

**Current Law:** Except for the occupant of a disabled vehicle who seeks the aid of another vehicle, a person is prohibited from standing in a roadway to solicit a ride, employment, or business from an occupant of a vehicle. Further, a person is prohibited from standing on or near a highway to solicit any other person to guard any vehicle while it is parked or about to be parked.

In Charles, Harford, and Washington counties, a person may not stand in a roadway, median divider, or intersection to solicit money or donations of any kind from the occupant of a vehicle.

In Prince George's County, a child younger than 15 is prohibited from standing in a roadway, median divider, or intersection to solicit money or donations of any kind from the occupant of a vehicle. Further, in Prince George's County, an adult may not cause, encourage, permit, or petition a child younger than 15 to engage in such activity.

**Small Business Effect:** Minimal. Roadside businesses are already prohibited in some local jurisdictions. However, the Department of Legislative Services notes that the bill may affect some nonprofit organizations (*e.g.*, local fire departments, advocacy groups, charities) in Frederick County that conduct fundraising activities from median dividers and controlled access highways.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** HB 283 (Frederick County Delegation) – Environmental Matters.

**Information Source(s):** Maryland Department of Transportation, Frederick County, Department of Legislative Services

**Fiscal Note History:** First Reader - February 13, 2004  
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