
By: **Delegate Smigiel**

Introduced and read first time: February 11, 2005

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Transportation - Processions or Assemblies on Highways - Participation by**
3 **Candidates**

4 FOR the purpose of specifying that a local authority in the exercise of its police power
5 to regulate processions and assemblies on highways may not prohibit certain
6 candidates from participating in processions or assemblies on highways under
7 the jurisdiction of the local authority under certain circumstances; and generally
8 relating to participation by candidates in processions and assemblies on
9 highways regulated by a local authority.

10 BY repealing and reenacting, with amendments,
11 Article - Transportation
12 Section 25-102
13 Annotated Code of Maryland
14 (2002 Replacement Volume and 2004 Supplement)

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

17 **Article - Transportation**

18 25-102.

19 (a) The provisions of the Maryland Vehicle Law do not prevent a local
20 authority, in the reasonable exercise of its police power, from exercising the following
21 powers as to highways under its jurisdiction:

22 (1) Subject to the provisions of § 21-1003.1 of this article, regulating or
23 prohibiting the stopping, standing, or parking of vehicles;

24 (2) Regulating traffic by means of police officers or traffic control
25 devices;

26 (3) Regulating or prohibiting processions or assemblies on highways,
27 EXCEPT THAT A LOCAL AUTHORITY MAY NOT PROHIBIT A CANDIDATE WHO HAS
28 FILED A CERTIFICATE OF CANDIDACY FOR ELECTION UNDER § 5-302 OF THE

1 ELECTION LAW ARTICLE OR A CANDIDATE WHO HAS FILED A CERTIFICATE OF
2 CANDIDACY FOR ELECTION FOR A MUNICIPAL OFFICE FROM PARTICIPATING IN A
3 PROCESSION OR ASSEMBLY ON A HIGHWAY THAT HAS BEEN AUTHORIZED BY THE
4 LOCAL AUTHORITY;

5 (4) Designating particular highways or separate roadways as one-way
6 highways and requiring that all vehicles on them move in one specified direction;

7 (5) Regulating the speed and weight of vehicles in public parks;

8 (6) Designating any highway as a through highway or designating any
9 intersection as a stop intersection or a yield intersection;

10 (7) Restricting the use of highways as provided in Title 24 of this article;

11 (8) Regulating the operation of bicycles, requiring them to be registered,
12 and imposing a registration fee;

13 (9) Regulating or prohibiting the turning of vehicles or specified types of
14 vehicles at intersections;

15 (10) Altering speed limits as provided in Title 21, Subtitle 8 of this article;

16 (11) Regulating through truck traffic and prohibiting trucks from using
17 any highway or alley that is not designated or maintained as a part or extension of
18 the State or federal highway system, provided the local authority has designated an
19 adequate alternate route for diverted truck traffic;

20 (12) Adopting any other traffic regulations as specifically authorized in
21 the Maryland Vehicle Law;

22 (13) Regulating taxi stands, including taxi stands in the middle of a block;

23 (14) (i) Except in Garrett County, designating a certain portion of
24 highways or roadways upon which snowmobiles may travel for the sole purpose of
25 gaining access to snowmobile trails which have been designated by the Department of
26 Natural Resources. However, only those highways and roadways which divide
27 snowmobile trails and which would otherwise obstruct direct access between
28 snowmobile trails may be so designated; and

29 (ii) In Garrett County, permitting a person to cross a highway or
30 roadway on a snowmobile at a right angle, and designating a certain portion of
31 highways or roadways upon which snowmobiles may travel for the sole purpose of
32 gaining access to snowmobile trails which have been designated by the Department of
33 Natural Resources;

34 (15) Requiring a minibike, as defined in § 15-112(a) of this article, to be
35 registered, and imposing a registration fee; and

1 (16) In Allegany County, designating crossings on county highways where
2 a person operating a golf cart may cross the highway for continued access to any
3 portion of a golf course.

4 (b) (1) Unless it first obtains written approval from the State Highway
5 Administration, a local authority may not place or maintain any stop sign or traffic
6 control signal that requires the traffic on any State highway to stop before entering or
7 crossing any intersecting highway.

8 (2) Unless it first obtains written permission from the State Highway
9 Administration, a local authority may not place or maintain lighting along or at an
10 intersection with a State highway.

11 (c) An ordinance or regulation adopted under items (4), (5), (6), (7), or (10) of
12 subsection (a) of this section is not effective until a traffic control device giving notice
13 of the local traffic regulations is placed on or at the entrances to the highway or its
14 affected part.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 October 1, 2005.