

Department of Legislative Services
Maryland General Assembly
2005 Session

FISCAL AND POLICY NOTE

House Bill 1092 (Delegate Smigiel)
Environmental Matters

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

This bill specifies that a local authority may not prohibit a candidate who has filed a certificate of candidacy with the State Board of Elections or a certificate of candidacy for elective municipal office from participating in a procession or assembly on a highway that has been authorized by the local authority.

Fiscal Summary

State Effect: The bill does not materially affect State finances or operations.

Local Effect: Potential minimal increase in expenditures.

Small Business Effect: Potential minimal.

Analysis

Current Law: The Maryland Vehicle Law does not prevent a local authority from regulating or prohibiting processions or assemblies on a highway. Local governments are also authorized to regulate various other aspects of vehicular traffic, as specified.

A candidate for the following elective offices must file a certificate of candidacy with the State Board of Elections:

- an office to be voted on by all voters in the State;
- the General Assembly of Maryland;

- Congressional representative;
- judge of the circuit court; or
- delegate to a presidential national convention.

For offices other than those listed above, the candidate must file a certificate with the local board in the appropriate county.

Local Expenditures: Prince George's County advises that this bill could have a fiscal impact if processions are longer due to the bill's provisions. Police officers may be required to direct traffic, resulting in more overtime expenses. Also, longer processions could affect small businesses, since access to them would be limited while the procession was in progress. Garrett and Montgomery counties expect the bill to have no fiscal impact.

Small Business Effect: If the participation of elective candidates results in longer processions or assemblies, small businesses could attract fewer customers while they were in progress.

Additional Information

Prior Introductions: None.

Cross File: SB 455 (Senator Pipkin) – Judicial Proceedings.

Information Source(s): Maryland Department of Transportation, Garrett County, Montgomery County, Prince George's County, Department of Legislative Services

Fiscal Note History: First Reader - February 24, 2005
mp/jr

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