

**Department of Legislative Services**  
Maryland General Assembly  
2005 Session

**FISCAL AND POLICY NOTE**  
**Revised**

Senate Bill 453

(Cecil County Senators)

Education, Health, and Environmental Affairs

Environmental Matters

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**Cecil County - Solicitation of Money or Donations from Occupants of Vehicles -  
Prohibitions and Exceptions**

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This bill limits, in Cecil County, solicitation of donations from motor vehicles on roadways, median dividers, or intersections to individuals or organizations that have a permit to do so.

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**Fiscal Summary**

**State Effect:** None. The bill would affect local government operations only.

**Local Effect:** Potential minimal increase in local government expenditures and revenue for Cecil County only.

**Small Business Effect:** Small nonprofit organizations who wish to solicit donations in Cecil County would be affected to the extent they may have to pay a fee.

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**Analysis**

**Bill Summary:** The bill authorizes the Cecil County Commissioners or a municipal corporation in Cecil County to adopt a permit program for roadside solicitation. A person is prohibited in Cecil County from soliciting donations or causing donations to be solicited from motor vehicles on roadways, median dividers, or intersections without a permit issued by the county commissioners or by a municipal corporation in the county.

An individual or a representative of a qualified organization may obtain a permit, upon submitting proof of a plan to solicit donations safely. A permit would be issued for one

calendar day, and only one permit per individual or organization can be issued in a calendar year. Children younger than 18 are banned from this activity. Qualified organizations are defined as a fire company or legitimate religious, fraternal, civic, war veterans', or charitable organization.

**Current Law:** Except for the occupant of a disabled vehicle who seeks the aid of another vehicle, a person may not stand in a roadway to solicit a ride, employment, or business from an occupant of any 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 on the highway.

In Anne Arundel County, a person is prohibited from standing in a roadway, median divider, or intersection to solicit donations from occupants of vehicles, or cause another to do so without a license from Anne Arundel County (maximum fee \$100). Licenses can be obtained by an individual or a qualified organization. Qualified organizations are defined as a fire company or legitimate religious, fraternal, civic, war veterans', or charitable organization. Children younger than 18 are banned from this activity.

In Charles, Frederick, 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.

An identical ban applies to a child younger than 15 in Prince George's County. However, the child may not be found guilty or adjudicated delinquent for violating this provision if encouraged or permitted by an adult. An adult in Prince George's County may not cause, encourage, permit, or petition a child younger than 15 to engage in such activity.

**Background:** State laws governing solicitation on highways vary. For example, Louisiana prohibits the "intentional act of soliciting, begging, panhandling, or otherwise requesting anything of value" on an interstate highway and imposes a fine of up to \$200, imprisonment for up to six months, or both for violations. Other states authorize roadway solicitation with the permission of the local jurisdiction or for certain nonprofit organizations that solicit funds for charitable causes.

**Local Fiscal Effect:** The Maryland Association of Nonprofit Organizations advises that there are 182 charitable, religious, or education organizations in Cecil County that qualify for tax exemption under Section 501(c)3 of the federal tax code, and an additional 55 nonprofits. There are also 45 organizations registered as Section 501(c)4 organizations, such as the Lion's Club or other fraternal organizations. Of these groups, 49 are currently registered with the Secretary of State for soliciting donations (as required by

law). However, only a small portion of these organizations are expected to seek a license to solicit on roadways, and the Cecil County Accounting Department advises that the revenue and expenditure impact would be minimal.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** HB 568 (Cecil County Delegation) – Environmental Matters.

**Information Source(s):** Cecil County, Maryland Association of Nonprofit Organizations, Secretary of State, Maryland Department of Transportation, Department of Legislative Services

**Fiscal Note History:** First Reader - March 14, 2005  
ncs/hlb Revised - Enrolled Bill - May 5, 2005

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