

Department of Legislative Services
Maryland General Assembly
2005 Session

FISCAL AND POLICY NOTE

House Bill 1429

(Carroll County Delegation)

Environmental Matters

Education, Health, and Environmental
Affairs

Carroll County - Highways - Prohibition on Use for Solicitation

This bill prohibits, in Carroll 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.

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: Carroll County expenditures for enforcement, and any notification about the prohibition, could be handled with existing resources.

Small Business Effect: None.

Analysis

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 of \$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.

Small Business Effect: Minimal. However, the Department of Legislative Services notes that the bill may affect some nonprofit organizations (*e.g.*, local fire departments, advocacy groups, charities) in Carroll County that conduct fundraising activities from median dividers.

Additional Information

Prior Introductions: None.

Cross File: None.

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

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n/hlb

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