

# HOUSE BILL 834

R5

9lr0863

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By: **Montgomery County Delegation**

Introduced and read first time: February 11, 2009

Assigned to: Environmental Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Montgomery County - Solicitation of Money or Donations from Occupants of**  
3 **Vehicles - Prohibitions and Exceptions**

4 **MC 927-09**

5 FOR the purpose of prohibiting, in Montgomery County, an adult from standing, or  
6 causing, encouraging, allowing, or petitioning a person to stand, in a roadway,  
7 median divider, or intersection to solicit money or donations from the occupant  
8 of a vehicle, subject to a certain exception; authorizing the Montgomery County  
9 Council or the governing body of a municipal corporation in Montgomery  
10 County to enact a certain permit program to allow adults and adult  
11 representatives of certain organizations to stand in a roadway, median divider,  
12 or intersection to solicit money or donations from the occupant of a vehicle;  
13 requiring a local law authorized under this Act to include a requirement that an  
14 applicant for a certain permit submit proof of a certain safety plan; requiring a  
15 certain local law to provide that a permit issued under this Act only be effective  
16 for a certain time period; defining a certain term; and generally relating to the  
17 solicitation of money from occupants of vehicles in Montgomery County.

18 BY repealing and reenacting, with amendments,  
19 Article - Transportation  
20 Section 21-507(g)  
21 Annotated Code of Maryland  
22 (2006 Replacement Volume and 2008 Supplement)

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

25 **Article - Transportation**

26 21-507.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           (g)   (1)   **THIS SUBSECTION APPLIES ONLY IN MONTGOMERY COUNTY.**

2                   (2)   **IN THIS SUBSECTION, “QUALIFIED ORGANIZATION” MEANS A**  
3 **FIRE COMPANY OR BONA FIDE RELIGIOUS, FRATERNAL, CIVIC, WAR VETERANS’,**  
4 **OR CHARITABLE ORGANIZATION.**

5                   [(1)] (3)   (I)   [In Montgomery County, a] **A child under the age of**  
6 **18 years may not stand in a roadway, median divider, or intersection to solicit money**  
7 **or donations of any kind from the occupant of a vehicle.**

8                   [(2)] (II)   This [subsection] **PARAGRAPH** shall be enforced by the  
9 issuance of a warning that informs the offender of the requirements of this  
10 [subsection] **PARAGRAPH.**

11                   (4)   (I)   **EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS**  
12 **PARAGRAPH, AN ADULT MAY NOT:**

13                               1.   **STAND IN A ROADWAY, MEDIAN DIVIDER, OR**  
14 **INTERSECTION TO SOLICIT MONEY OR DONATIONS OF ANY KIND FROM THE**  
15 **OCCUPANT OF A VEHICLE; OR**

16                               2.   **CAUSE, ENCOURAGE, ALLOW, OR PETITION A**  
17 **PERSON TO STAND IN A ROADWAY, MEDIAN DIVIDER, OR INTERSECTION TO**  
18 **SOLICIT MONEY OR DONATIONS OF ANY KIND FROM THE OCCUPANT OF A**  
19 **VEHICLE.**

20                               (II) 1.   **THE MONTGOMERY COUNTY COUNCIL OR THE**  
21 **GOVERNING BODY OF A MUNICIPAL CORPORATION IN MONTGOMERY COUNTY**  
22 **MAY, BY LOCAL LAW, ENACT A PERMIT PROGRAM TO ALLOW ADULTS AND ADULT**  
23 **REPRESENTATIVES OF QUALIFIED ORGANIZATIONS TO STAND IN A ROADWAY,**  
24 **MEDIAN DIVIDER, OR INTERSECTION TO SOLICIT MONEY OR DONATIONS FROM**  
25 **THE OCCUPANT OF A VEHICLE.**

26                               2.   **IF THE COUNTY COUNCIL OR THE GOVERNING**  
27 **BODY OF A MUNICIPAL CORPORATION IN THE COUNTY ENACTS A LOCAL LAW**  
28 **ESTABLISHING A PERMIT PROGRAM AUTHORIZED BY THIS SUBPARAGRAPH, THE**  
29 **LOCAL LAW SHALL:**

30                                   A.   **REQUIRE AN APPLICANT FOR A PERMIT TO**  
31 **SUBMIT PROOF THAT THE APPLICANT HAS A PLAN FOR ALL ADULTS**  
32 **PARTICIPATING TO SAFELY SOLICIT MONEY OR DONATIONS AT THE PROPOSED**  
33 **LOCATION; AND**

1                                   **B.    PROVIDE THAT A PERMIT IS EFFECTIVE FOR A**  
2 **PERIOD OF NOT MORE THAN 3 DAYS DURING THE CALENDAR YEAR.**

3                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
4 October 1, 2009.