

HOUSE BILL 913

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By: **Delegates Howard, Conaway, Kullen, Proctor, and Walker**

Introduced and read first time: February 10, 2010

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Consumer Protection – Prohibition on Placement of Unsolicited Commercial**
3 **Advertisements on Motor Vehicles**

4 FOR the purpose of prohibiting certain publishers from placing or causing to be placed
5 certain unsolicited commercial advertisements on a motor vehicle; defining
6 certain terms; and generally relating to placement of unsolicited materials on
7 motor vehicles.

8 BY adding to
9 Article – Commercial Law
10 Section 14–1322
11 Annotated Code of Maryland
12 (2005 Replacement Volume and 2009 Supplement)

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

15 **Article – Commercial Law**

16 **14–1322.**

17 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE**
18 **MEANINGS INDICATED.**

19 **(2) “COMMERCIAL ADVERTISEMENT” MEANS A PRINTED OR**
20 **WRITTEN CIRCULAR, A NOTICE, OR ANY OTHER ITEM THAT HAS THE**
21 **PREDOMINANT PURPOSE OF:**

22 **(I) ADVERTISING ONE OR MORE PRODUCTS, SERVICES, OR**
23 **OTHER ITEMS FOR SALE, LEASE, OR TRADE;**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(II) DIRECTING ATTENTION TO ONE OR MORE BUSINESSES,**
2 **COMMODITIES, SERVICES, EVENTS, OR OTHER ACTIVITIES FOR WHICH A FEE IS**
3 **CHARGED OR SOLICITED; OR**

4 **(III) PROMOTING AN ACTIVITY OF A BUSINESS OR**
5 **COMMERCIAL NATURE.**

6 **(3) “MOTOR VEHICLE” HAS THE MEANING STATED IN TITLE 11,**
7 **SUBTITLE 1 OF THE TRANSPORTATION ARTICLE.**

8 **(4) “PUBLISHER” MEANS THE PERSON RESPONSIBLE FOR THE**
9 **PUBLICATION OF A COMMERCIAL ADVERTISEMENT.**

10 **(B) A PUBLISHER MAY NOT PLACE OR CAUSE TO BE PLACED AN**
11 **UNSOLICITED COMMERCIAL ADVERTISEMENT IN OR ON A MOTOR VEHICLE.**

12 **(C) A VIOLATION OF A PROVISION OF THIS SECTION IS:**

13 **(1) AN UNFAIR OR DECEPTIVE TRADE PRACTICE WITHIN THE**
14 **MEANING OF TITLE 13 OF THIS ARTICLE; AND**

15 **(2) SUBJECT TO THE ENFORCEMENT PROVISIONS CONTAINED IN**
16 **TITLE 13 OF THIS ARTICLE.**

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 October 1, 2010.