

HOUSE BILL 1104

R5

11r0426

By: **Prince George's County Delegation**

Introduced and read first time: February 11, 2011

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County – Permit Program for Roadside Solicitation of Money**
3 **or Donations – Sunset Extension**

4 **PG 402–11**

5 FOR the purpose of extending the termination date for certain provisions of law
6 authorizing the County Council of Prince George's County to enact a permit
7 program to allow a person to stand in a roadway, median divider, or intersection
8 to solicit money or donations from the occupant of a vehicle; and generally
9 relating to roadside solicitation of money or donations in Prince George's
10 County.

11 BY repealing and reenacting, without amendments,
12 Article – Transportation
13 Section 21–507(d) and (j)
14 Annotated Code of Maryland
15 (2009 Replacement Volume and 2010 Supplement)

16 BY repealing and reenacting, with amendments,
17 Chapter 698 of the Acts of the General Assembly of 2009
18 Section 2

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

21 **Article – Transportation**

22 21–507.

23 (d) (1) This subsection applies to Prince George's County.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) (i) Except as provided in subsection (j) of this section, a person
2 may not stand in a highway to solicit money or donations of any kind from the
3 occupant of a vehicle.

4 (ii) An adult may not cause, encourage, allow, or petition a child
5 under the age of 15 years to violate subparagraph (i) of this paragraph.

6 (iii) In this paragraph, “highway” includes:

7 1. Rights-of-way, roadway surfaces, roadway
8 subgrades, shoulders, median dividers, drainage facilities and structures, related
9 stormwater management facilities and structures, roadway cuts, roadway fills,
10 guardrails, bridges, highway grade separation structures, railroad grade separations,
11 tunnels, overpasses, underpasses, interchanges, entrance plazas, approaches, and
12 other structures forming an integral part of a street, road, or highway, including
13 bicycle and walking paths; and

14 2. Any other property acquired for the construction,
15 operation, or use of the highway.

16 (3) A child under the age of 15 years may not be found guilty or
17 adjudicated delinquent for a violation of paragraph (2)(i) of this subsection if an adult
18 caused, encouraged, allowed, or petitioned the child in violation of paragraph (2)(ii) of
19 this subsection.

20 (4) This subsection shall be enforced:

21 (i) By the issuance of a warning that informs the offender of the
22 requirements of this subsection if it is the offender’s first violation; and

23 (ii) Under § 27–101 of this article if it is the offender’s second or
24 subsequent violation.

25 (j) (1) The County Council of Prince George’s County, by appropriate
26 resolution or ordinance, may enact a permit program to allow a person to stand in a
27 roadway, median divider, or intersection to solicit money or donations from the
28 occupant of a vehicle.

29 (2) At least 15 days before the date on which the permit applied for is
30 to be effective, an applicant shall file with the county an application that contains the
31 following information:

32 (i) The name, address, and age of each person who will solicit;

33 (ii) The name and address of the employing or sponsoring
34 person, agency, or entity;

35 (iii) The exact location where each solicitor will be assigned;

- 1 (iv) The purpose of the solicitation;
- 2 (v) The time frame and duration of the solicitation;
- 3 (vi) The name, address, and telephone number of a contact
4 person who will be able to provide additional information to the county or its designee;
5 and
- 6 (vii) Any other information required by the county.
- 7 (3) The term of a permit may not exceed 24 hours.
- 8 (4) No more than 4 permits may be issued to the same person in a
9 calendar year.
- 10 (5) A person to whom a permit is issued shall conspicuously display
11 the permit while soliciting.

12 **Chapter 698 of the Acts of 2009**

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 October 1, 2009. It shall remain effective for a period [2] 4 years and, at the end of
15 September 30, [2011] **2013**, with no further action required by the General Assembly,
16 this Act shall be abrogated and of no further force and effect.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 July 1, 2011.