

# HOUSE BILL 1104

R5

11r0426

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

Introduced and read first time: February 11, 2011

Assigned to: Environmental Matters

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Committee Report: Favorable

House action: Adopted

Read second time: March 22, 2011

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## CHAPTER \_\_\_\_\_

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:

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 **Article – Transportation**

2 21–507.

3 (d) (1) This subsection applies to Prince George’s County.

4 (2) (i) Except as provided in subsection (j) of this section, a person  
5 may not stand in a highway to solicit money or donations of any kind from the  
6 occupant of a vehicle.7 (ii) An adult may not cause, encourage, allow, or petition a child  
8 under the age of 15 years to violate subparagraph (i) of this paragraph.

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

10 1. Rights-of-way, roadway surfaces, roadway  
11 subgrades, shoulders, median dividers, drainage facilities and structures, related  
12 stormwater management facilities and structures, roadway cuts, roadway fills,  
13 guardrails, bridges, highway grade separation structures, railroad grade separations,  
14 tunnels, overpasses, underpasses, interchanges, entrance plazas, approaches, and  
15 other structures forming an integral part of a street, road, or highway, including  
16 bicycle and walking paths; and17 2. Any other property acquired for the construction,  
18 operation, or use of the highway.19 (3) A child under the age of 15 years may not be found guilty or  
20 adjudicated delinquent for a violation of paragraph (2)(i) of this subsection if an adult  
21 caused, encouraged, allowed, or petitioned the child in violation of paragraph (2)(ii) of  
22 this subsection.

23 (4) This subsection shall be enforced:

24 (i) By the issuance of a warning that informs the offender of the  
25 requirements of this subsection if it is the offender’s first violation; and26 (ii) Under § 27–101 of this article if it is the offender’s second or  
27 subsequent violation.28 (j) (1) The County Council of Prince George’s County, by appropriate  
29 resolution or ordinance, may enact a permit program to allow a person to stand in a  
30 roadway, median divider, or intersection to solicit money or donations from the  
31 occupant of a vehicle.32 (2) At least 15 days before the date on which the permit applied for is  
33 to be effective, an applicant shall file with the county an application that contains the  
34 following information:

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

**Chapter 698 of the Acts of 2009**

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

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

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.