

Chapter 376

(House Bill 1104)

AN ACT concerning

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

PG 402–11

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

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

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

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

Article – Transportation

21–507.

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

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

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

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

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

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

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

(4) This subsection shall be enforced:

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

(ii) Under § 27-101 of this article if it is the offender's second or subsequent violation.

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

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

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

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

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

(iv) The purpose of the solicitation;

(v) The time frame and duration of the solicitation;

(vi) The name, address, and telephone number of a contact person who will be able to provide additional information to the county or its designee; and

(vii) Any other information required by the county.

(3) The term of a permit may not exceed 24 hours.

(4) No more than 4 permits may be issued to the same person in a calendar year.

(5) A person to whom a permit is issued shall conspicuously display the permit while soliciting.

Chapter 698 of the Acts of 2009

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

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

Approved by the Governor, May 10, 2011.