

Department of Legislative Services
Maryland General Assembly
2011 Session

FISCAL AND POLICY NOTE

House Bill 263

(Frederick County Delegation)

Environmental Matters

Judicial Proceedings

Frederick County - Roadside Solicitation of Money or Donations - Permit Program

This bill authorizes Frederick County, or a municipality in the county, to enact a permit program allowing a person to stand in a roadway, median divider, or intersection to solicit money or donations from the occupant of a vehicle under specified conditions.

Fiscal Summary

State Effect: None.

Local Effect: Frederick County expenditures and revenues may increase minimally should a permit program be established. Fees may be implemented to offset any expenditure increases incurred by the county.

Small Business Effect: None.

Analysis

Bill Summary: If the county or municipality enacts an ordinance establishing a permit program, the ordinance must require a person seeking a permit to file an application containing the following information: (1) the date, time, and location of the solicitation; (2) the manner and conditions under which the solicitation is to occur; and (3) the name, address, and telephone number of a contact person of the employing or sponsoring person, agency, or entity on whose behalf the solicitation is to be made, who will be able to provide additional information to the county, municipality, or the designee of the county or municipality. The county or municipality must approve the application within five days after the application is filed and may impose conditions on the solicitation.

Current Law: Except for the occupant of a disabled vehicle who seeks the aid of another vehicle, a person may not stand in a roadway to solicit a ride, employment, or business from an occupant of any vehicle. Further, a person is prohibited from standing on or near a highway to solicit any other person to watch or guard any vehicle while it is parked or about to be parked on the highway.

In Anne Arundel County, a person may not stand in a highway to solicit money or donations of any kind from the occupant of a vehicle or advertise any message. In Howard County, a person may not stand in a State highway or the highway right-of-way to solicit money or donations of any kind from the occupant of a vehicle. In Carroll, Charles, Frederick, Harford, and Washington counties, a person may not stand in a roadway, median divider, or intersection to solicit money or donations of any kind from the occupant of a vehicle. This ban also applies to children under age 18 in Montgomery County.

The Cecil County Commissioners or a municipality in Cecil County are authorized to adopt a permit program for roadside solicitation. A person is prohibited in Cecil County from standing in a roadway, median divider, or intersection to solicit donations from occupants of motor vehicles (without a valid permit), and from causing, encouraging, allowing, or petitioning others to do so. An individual or a representative of a qualified organization who is at least 18 years old may obtain a permit from the county commissioners or a municipality in the county, upon submitting proof of a plan to safely solicit donations. A permit is issued for one calendar day, and only one permit per individual or organization can be issued in a calendar year.

The Baltimore and Prince George's county councils are authorized 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. The authorization to enact a permit program in Prince George's County terminates September 31, 2011.

Additional Information

Prior Introductions: None.

Cross File: While not identified as a cross file, SB 331 is an identical bill.

Information Source(s): Frederick County, Department of Legislative Services

Fiscal Note History: First Reader - February 17, 2011
mm/hlb

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