

HOUSE BILL 1152

R1, L2

5lr2687

By: **Delegates B. Barnes, Beidle, Carey, Chang, Frush, S. Howard, McConkey, McMillan, Pena–Melnyk, Saab, Simonaire, and Sophocleus**

Introduced and read first time: February 20, 2015

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Anne Arundel County – Solicitation and Collection of Money or Donations From**
3 **Occupants of Vehicles – Adoption of a Permit Program**

4 FOR the purpose of authorizing the Anne Arundel County Council or the governing body of
5 a municipal corporation in Anne Arundel County to enact a permit program to allow
6 individuals who are at least a certain age and representatives of a certain
7 organization who are at least a certain age to solicit money or donations from the
8 occupant of a vehicle by standing in a roadway, a median divider, or an intersection;
9 requiring an applicant for a permit to submit proof of a certain safety plan; providing
10 that a permit be effective only for a certain time period; providing that an individual
11 or a certain organization may obtain only a certain number of permits per calendar
12 year; defining a certain term; and generally relating to the solicitation and collection
13 of money or donations from occupants of vehicles in Anne Arundel County.

14 BY repealing and reenacting, with amendments,
15 Article – Transportation
16 Section 21–507(e)
17 Annotated Code of Maryland
18 (2012 Replacement Volume and 2014 Supplement)

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

21 **Article – Transportation**

22 21–507.

23 (e) (1) This subsection applies to Anne Arundel County.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) **IN THIS SUBSECTION, “QUALIFIED ORGANIZATION” MEANS A FIRE**
2 **COMPANY OR BONA FIDE RELIGIOUS, FRATERNAL, CIVIC, WAR VETERANS’, OR**
3 **CHARITABLE ORGANIZATION.**

4 (3) (i) **[A] EXCEPT AS PROVIDED IN PARAGRAPH (4) OF THIS**
5 **SUBSECTION, A person may not stand in a highway to:**

6 1. Solicit money or donations of any kind from the occupant
7 of a vehicle; or

8 2. Advertise any message.

9 (ii) “Highway” includes:

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

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

18 (4) (I) **THE ANNE ARUNDEL COUNTY COUNCIL OR THE**
19 **GOVERNING BODY OF A MUNICIPAL CORPORATION IN ANNE ARUNDEL COUNTY MAY,**
20 **BY APPROPRIATE RESOLUTION OR ORDINANCE, ENACT A PERMIT PROGRAM TO**
21 **ALLOW INDIVIDUALS WHO ARE AT LEAST 18 YEARS OLD AND REPRESENTATIVES OF**
22 **QUALIFIED ORGANIZATIONS WHO ARE AT LEAST 18 YEARS OLD TO SOLICIT MONEY**
23 **OR DONATIONS FROM THE OCCUPANT OF A VEHICLE BY STANDING IN A ROADWAY, A**
24 **MEDIAN DIVIDER, OR AN INTERSECTION IN THE COUNTY OR MUNICIPAL**
25 **CORPORATION.**

26 (II) **IF THE ANNE ARUNDEL COUNTY COUNCIL OR THE**
27 **GOVERNING BODY OF A MUNICIPAL CORPORATION IN ANNE ARUNDEL COUNTY**
28 **ENACTS A RESOLUTION OR AN ORDINANCE ESTABLISHING A PERMIT PROGRAM**
29 **AUTHORIZED BY THIS PARAGRAPH, THE RESOLUTION OR ORDINANCE SHALL:**

30 1. **REQUIRE AN APPLICANT FOR A PERMIT TO SUBMIT**
31 **PROOF THAT THE INDIVIDUAL OR QUALIFIED ORGANIZATION HAS A PLAN FOR**
32 **SAFELY SOLICITING MONEY OR DONATIONS FROM THE PROPOSED LOCATION;**

33 2. **PROVIDE THAT A PERMIT IS EFFECTIVE FOR A**
34 **PERIOD NOT TO EXCEED 7 CALENDAR DAYS; AND**

1 **3. ALLOW AN INDIVIDUAL OR A QUALIFIED**
2 **ORGANIZATION TO OBTAIN ONLY ONE PERMIT IN ANNE ARUNDEL COUNTY OR THE**
3 **MUNICIPAL CORPORATION PER CALENDAR YEAR.**

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 October 1, 2015.