

# HOUSE BILL 498

R5

1lr1556

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By: **Delegate Rosenberg**

Introduced and read first time: January 15, 2021

Assigned to: Judiciary

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## A BILL ENTITLED

1 AN ACT concerning

2 **First Amendment Activities and Associations – Use of Vehicle to Interfere or**  
3 **Damage Property**

4 FOR the purpose of prohibiting the driver of a vehicle from using the vehicle to interfere or  
5 attempt to interfere with another person’s ability to engage in First Amendment  
6 activities or to destroy or damage or attempt to destroy or damage certain property  
7 for a certain reason; establishing certain penalties for a violation of this Act; defining  
8 a certain term; and generally relating to prohibited acts related to First Amendment  
9 activities and associations for the driver of a vehicle.

10 BY repealing and reenacting, without amendments,  
11 Article – Public Safety  
12 Section 3–701(a)(1) and (5)  
13 Annotated Code of Maryland  
14 (2018 Replacement Volume and 2020 Supplement)

15 BY adding to  
16 Article – Transportation  
17 Section 21–906  
18 Annotated Code of Maryland  
19 (2020 Replacement Volume)

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

22 **Article – Public Safety**

23 3–701.

24 (a) (1) In this section the following words have the meanings indicated.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (5) "First Amendment activities" means:

2 (i) activities involving constitutionally protected speech or  
3 association; or

4 (ii) conduct related to freedom of speech, free exercise of religion,  
5 freedom of the press, the right to assemble, or the right to petition the government.

6 **Article – Transportation**

7 **21-906.**

8 (A) IN THIS SECTION, "FIRST AMENDMENT ACTIVITIES" HAS THE MEANING  
9 STATED IN § 3-701 OF THE PUBLIC SAFETY ARTICLE.

10 (B) A DRIVER OF A VEHICLE MAY NOT USE THE VEHICLE TO:

11 (1) INTENTIONALLY INTERFERE OR ATTEMPT TO INTERFERE WITH  
12 ANOTHER PERSON'S ABILITY TO ENGAGE IN FIRST AMENDMENT ACTIVITIES; OR

13 (2) DESTROY OR DAMAGE OR ATTEMPT TO DESTROY OR DAMAGE  
14 REAL OR PERSONAL PROPERTY CONNECTED TO A BUILDING BECAUSE A PERSON OR  
15 GROUP OF PERSONS OF A PARTICULAR RELIGIOUS BELIEF IS ASSOCIATED WITH THE  
16 BUILDING.

17 (C) (1) A PERSON CONVICTED OF A VIOLATION OF THIS SECTION IS  
18 SUBJECT TO IMPRISONMENT NOT EXCEEDING 1 YEAR OR A FINE NOT EXCEEDING  
19 \$1,000 OR BOTH.

20 (2) EACH VIOLATION OF THIS SECTION CONSTITUTES A SEPARATE  
21 OFFENSE AND MAY NOT MERGE WITH ANY OTHER CRIME SET FORTH IN THIS  
22 ARTICLE OR THE CRIMINAL LAW ARTICLE.

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
24 October 1, 2021.