

# Chapter 392

(House Bill 721)

AN ACT concerning

## Montgomery County – Solicitation and Collection of Money or Donations from Occupants of Vehicles – Adoption of a Permit Program

MC 10-12

FOR the purpose of authorizing the Montgomery County Council to enact a local law to require a person to obtain a certain permit before standing in a roadway or median divider or on a sidewalk adjacent to a roadway to solicit and collect money or donations of any kind from the occupant of a vehicle; prohibiting a person from standing, or causing, encouraging, allowing, or petitioning a person to stand in a roadway, median divider, or intersection, or on a sidewalk adjacent to a roadway, to solicit or collect money or donations from the occupant of a vehicle, if a certain permit is required under a local law enacted under this Act ~~and the~~ except in compliance with a permit has not been obtained in accordance with the local law; prohibiting a local law enacted under this Act from authorizing a permit to be issued to a minor for certain purposes; *providing for the application and issuance of a permit issued under a local law enacted under this Act*; and generally relating to the solicitation and collection of money or donations from occupants of vehicles in Montgomery County.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 21-507(g)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

### Article – Transportation

21-507.

(g) (1) **THIS SUBSECTION APPLIES ONLY IN MONTGOMERY COUNTY.**

[1] (2) (I) [In Montgomery County, a] **A** child under the age of 18 years may not stand in a roadway, median divider, or intersection to solicit **OR COLLECT** money or donations of any kind from the occupant of a vehicle.

[(2)] (II) This [subsection] PARAGRAPH shall be enforced by the issuance of a warning that informs the offender of the requirements of this [subsection] PARAGRAPH.

(3) (I) THE MONTGOMERY COUNTY COUNCIL MAY ENACT A LOCAL LAW TO REQUIRE A PERSON TO OBTAIN A PERMIT BEFORE THE PERSON MAY STAND IN A ROADWAY OR MEDIAN DIVIDER OR ON A SIDEWALK ADJACENT TO A ROADWAY TO SOLICIT AND COLLECT MONEY OR DONATIONS OF ANY KIND FROM THE OCCUPANT OF A VEHICLE.

(II) IF A PERMIT IS REQUIRED UNDER A LOCAL LAW ENACTED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, EXCEPT IN COMPLIANCE WITH A PERMIT OBTAINED IN ACCORDANCE WITH THE LOCAL LAW, ~~A PERSON WHO HAS NOT OBTAINED A PERMIT IN ACCORDANCE WITH THE LOCAL LAW~~ MAY NOT:

1. STAND IN A ROADWAY, MEDIAN DIVIDER, OR INTERSECTION, OR ON A SIDEWALK ADJACENT TO A ROADWAY, TO SOLICIT OR COLLECT MONEY OR DONATIONS OF ANY KIND FROM THE OCCUPANT OF A VEHICLE; OR

2. CAUSE, ENCOURAGE, ALLOW, OR PETITION A PERSON TO STAND IN A ROADWAY, MEDIAN DIVIDER, OR INTERSECTION, OR ON A SIDEWALK ADJACENT TO A ROADWAY, TO SOLICIT OR COLLECT MONEY OR DONATIONS OF ANY KIND FROM THE OCCUPANT OF A VEHICLE.

(III) A LOCAL LAW ENACTED UNDER THIS SECTION MAY NOT AUTHORIZE A PERMIT TO BE ISSUED TO A MINOR FOR THE PURPOSE OF STANDING IN A ROADWAY OR MEDIAN DIVIDER TO SOLICIT OR COLLECT MONEY OR DONATIONS OF ANY KIND FROM THE OCCUPANT OF A VEHICLE.

(IV) A PERMIT ISSUED UNDER A LOCAL LAW ENACTED UNDER THIS SECTION SHALL APPLY TO THE SOLICITATION AND COLLECTION OF MONEY OR DONATIONS ON ROADWAYS, MEDIAN DIVIDERS, AND SIDEWALKS ADJACENT TO ROADWAYS AND MAY NOT LIMIT THE AUTHORIZATION TO FEWER THAN ALL THREE OF THOSE LOCATIONS.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2012.

Approved by the Governor, May 2, 2012.