MEMORANDUM

TO: County Council

FROM: Michael Faden, Senior Legislative Attorney

SUBJECT: Introduction: Bill 26-02, Streets and Roads - Soliciting in Roadway

Councilmember Dacek intends to introduce Bill 26-02, Streets and Roads - Soliciting in Roadway on July 30. A public hearing is scheduled for September 12 at 7:30 pm.

The bill would prohibit pedestrians from standing in a travel lane, roadway median, or intersection, or approaching a motor vehicle in a travel lane, to solicit or sell anything to occupants of the vehicle.

This packet contains:
Bill 26-02
Legislative Request Report

Circle #

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AN ACT to:

(1) prohibit soliciting of occupants of motor vehicles under certain circumstances; and

(2) generally amend the law regarding actions by pedestrians in and around travel lanes of streets and roads.

By amending

Montgomery County Code
Chapter 49, Streets and Road
Section 49-28

The County Council for Montgomery County, Maryland approves the following Act:
Section 1. Section 49-28 is amended as follows:

49-28 [Reserved] Soliciting and sales on public roads.

(a) Unless otherwise expressly permitted by law, a pedestrian must not stand in a travel lane, median divider, or intersection, or approach a motor vehicle that is in a travel lane of a road or street, to:

(1) ask the operator or another occupant of the vehicle for a donation of money or anything else of value;

(2) sell or deliver any item of value; or

(3) perform any service, other than emergency medical or road service requested by the vehicle operator.

(b) Any violation of this Section is a Class C violation.

Approved:

Steven A. Silverman, President, County Council

Date

Approved:

Douglas M. Duncan, County Executive

Date

This is a correct copy of Council action.

Mary A. Edgar, CMC, Clerk of the Council

Date
LEGISLATIVE REQUEST REPORT

Bill 26-02

Streets and Roads - Soliciting in Roadway

DESCRIPTION: Prohibits pedestrians from standing in a travel lane, roadway median, or intersection, or approaching a motor vehicle in a travel lane, to solicit or sell anything to occupants of the vehicle.

PROBLEM: Pedestrians who stand in travel lanes or approach vehicles pose a danger to themselves and vehicle occupants. Many vehicle occupants also object to being a captive audience for solicitors.

GOALS AND OBJECTIVES: To improve public safety by making it clear that pedestrians do not belong in travel lanes of roads.

COORDINATION: Police, Park Police, Department of Public Works and Transportation

FISCAL IMPACT: To be requested.

ECONOMIC IMPACT: To be requested.

EVALUATION: To be requested.

EXPERIENCE ELSEWHERE: To be researched.

SOURCE OF INFORMATION: Michael Faden, Senior Legislative Attorney, 240-777-7905

APPLICATION WITHIN MUNICIPALITIES: Applies in Barnesville, Brookeville, Chevy Chase View, Chevy Chase Section 5, North Chevy Chase, Poolesville, and Takoma Park.

PENALTIES: Class C (fines: $50 first offense, $75 repeat offenses)