

MEMORANDUM

December 8, 2017

TO: County Council

FROM: Amanda Mihill, Legislative Attorney *AMH*

SUBJECT: **Introduction:** Bill 39-17, Streets and Roads – Roadway Solicitation and Distribution – Prohibition

Bill 39-17, Streets and Roads – Roadway Solicitation and Distribution - Prohibition, sponsored by Lead Sponsor Councilmember Rice, is scheduled to be introduced on December 12, 2017. A public hearing is tentatively scheduled for January 30, 2018 at 1:30 p.m.

Bill 39-17 would prohibit a person from standing in a roadway to solicit, sell, or distribute any material to certain occupants of motor vehicles under certain conditions and generally regulate solicitation or distribution by pedestrians of occupants of motor vehicles in the roadway. The Lead Sponsor of Bill 39-17, Councilmember Rice, is working on a format to provide data on deaths and injuries that will assist the Council in its consideration of Bill 39-17.

This packet contains:	<u>Circle #</u>
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Bill No. 39-17
Concerning: Streets and Roads --
Roadway Solicitation and Distribution
- Prohibition
Revised: 11/27/2017 Draft No. 1
Introduced: December 12, 2017
Expires: June 12, 2019
Enacted: _____
Executive: _____
Effective: _____
Sunset Date: None
Ch. _____, Laws of Mont. Co. _____

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND**

Lead Sponsor: Councilmember Rice

AN ACT to:

- (1) prohibit a person from standing in a roadway to solicit, sell, or distribute any material to certain occupants of motor vehicles under certain conditions; and
- (2) generally regulate solicitation or distribution by pedestrians of occupants of motor vehicles in the roadway; and
- (3) generally amend County law governing conduct in streets and roads.

By adding

Montgomery County Code
Chapter 49, Streets and Roads
Section 49-19C

Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

The County Council for Montgomery County, Maryland approves the following Act:

Section 1. Section 49-19C is added as follows:

49-19C. Roadway solicitation and distribution.

(a) Prohibition. A person must not stand in a roadway to solicit, sell, or distribute any material to the occupant of any motor vehicle stopped on a roadway in obedience to a traffic control signal light. However, a person may solicit, sell, or distribute material to the occupant of a motor vehicle on a public roadway if the person remains on the surrounding sidewalks and unpaved shoulders, and not in or on the roadway itself, including the medians and islands.

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

Section 2. Effective date. County Code Section 49-19C, as added by Section 1 of this Act, takes effect on October 1, 2018.

Approved:

Hans D. Riemer, President, County Council

Date

Approved:

Isiah Leggett, County Executive

Date

This is a correct copy of Council action.

Linda M. Lauer, Clerk of the Council

Date

LEGISLATIVE REQUEST REPORT

Bill 39-17

Streets and Roads – Roadway Solicitation and Distribution - Prohibition

DESCRIPTION: Bill 39-17 would prohibit a person from standing in a roadway to solicit, sell, or distribute any material to certain occupants of motor vehicles under certain conditions and generally regulate solicitation or distribution by pedestrians of occupants of motor vehicles in the roadway

PROBLEM: There have been incidents at traffic light controlled intersections where pedestrians have been injured or killed while soliciting or distributing in the roadway.

GOALS AND OBJECTIVES: To protect the public at traffic light controlled intersections.

COORDINATION: Montgomery County Police Department

FISCAL IMPACT: To be requested.

ECONOMIC IMPACT: To be requested.

EVALUATION: To be requested.

EXPERIENCE ELSEWHERE: To be researched.

SOURCE OF INFORMATION: Amanda Mihill, Legislative Attorney, 240-777-7815

APPLICATION WITHIN MUNICIPALITIES: To be researched.

PENALTIES: N/A