



OFFICE OF THE COUNTY EXECUTIVE
ROCKVILLE, MARYLAND 20850

Isiah Leggett
County Executive

MEMORANDUM

January 31, 2011

TO: Valerie Ervin, Council President

FROM: Isiah Leggett, County Executive

SUBJECT: Roadside Solicitation

A number of residents and businesses have contacted me to convey concerns about how roadway soliciting impacts on public safety on our roads. At many intersections throughout the County, individuals can be found selling goods, panhandling or soliciting for charity from the medians. Frequently, individuals who are soliciting step off the median or adjacent sidewalk and into the road to collect money, putting themselves and motorists at risk.

Because of these concerns, I convened a Roadway Solicitation Task Force in January 2010 to examine the practice of solicitation on roads located within the County and develop recommendations for practical and appropriate ways to deal with the problem. The Task Force included Councilmember George Leventhal, Delegate Anne Kaiser, Senator Jamie Raskin, representatives from the County Police Department and the County Attorney's Office, as well as representatives from civic, business and non-profit organizations. I am forwarding a copy of the final report issued by the Task Force on November 15, 2010.

In its report, the Task Force noted that roadway solicitation is often hazardous to both panhandlers and motorists, and can potentially undermine the County's comprehensive efforts to promote pedestrian safety. The report noted that, while some panhandlers are homeless, appropriate services exist in the County to serve these individuals, and panhandling can often be counterproductive to addressing homelessness as well as addiction problems.

I have requested that our State legislators who served on the Task Force introduce a bill in the 2011 Session that would authorize the County to establish a permit system for roadside solicitation (i.e., State enabling law). Under the bill, solicitation from a median strip or sidewalk adjacent to a roadway without a permit would be prohibited. This local permit system would augment current State law, which already prohibits solicitation in a roadway. Recently, the Maryland Attorney General opined that content-neutral provisions narrowly tailored to accomplish the County's compelling interest in traffic safety are constitutional.

Valerie Ervin, Council President

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I hope the Council will support this legislation. Working together we can make Montgomery County roads safer for everyone.

Attachment

cc: Marc Hansen, Acting County Attorney
Tom Manger, Police Chief
Joy Nurmi, Director, East Regional Service Center
Carla Reid, Director, Department of Permitting Services