



Legislation Details (With Text)

File #: 08-0245 **Version:** 0 **Name:** Mass Transit Vehicles - Obsolete Provisions
Type: Ordinance **Status:** Enacted
File created: 12/4/2008 **In control:** City Council
On agenda: **Final action:** 3/20/2009
Enactment date: **Enactment #:** 09-142
Title: Mass Transit Vehicles - Obsolete Provisions

FOR the purpose of repealing obsolete or otherwise unnecessary provisions that duplicate prohibitions imposed by State law.

Sponsors: James B. Kraft, Bill Henry, Robert Curran

Indexes: Fines, Mass Transit, Repeal, Vehicles

Code sections:

Attachments: 1. 08-0245 - 1st Reader.pdf, 2. Finance - 08-0245.pdf, 3. Law - 08-0245.pdf, 4. Police - 08-0245.pdf, 5. 08-0245 - 3rd Reader.pdf

Date	Ver.	Action By	Action	Result
3/20/2009	0	Mayor	Signed by Mayor	
3/16/2009	0	City Council	Approved and Sent to the Mayor	
3/2/2009	0	Judiciary and Legislative Investigations	Recommended Favorably	
3/2/2009	0	City Council	Advanced to 3rd Rdr., Adopted Comm. Report	
2/9/2009	0	Judiciary and Legislative Investigations	Scheduled for a Public Hearing	
12/8/2008	0	The City Council	Referred for a Report	
12/8/2008	0	The City Council	Referred for a Report	
12/8/2008	0	The City Council	Referred for a Report	
12/4/2008	0	City Council	Assigned	
12/4/2008	0	City Council	Introduced	

EXPLANATION: CAPITALS indicate matter added to existing law.

[Brackets] indicate matter deleted from existing law.

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INTRODUCTORY*

CITY OF BALTIMORE
COUNCIL BILL

Introduced by: Councilmember Kraft

A BILL ENTITLED

AN ORDINANCE concerning
Mass Transit Vehicles - Obsolete Provisions

FOR the purpose of repealing obsolete or otherwise unnecessary provisions that duplicate prohibitions imposed by State law.

BY repealing

Article 19 - Police Ordinances
Section(s) 29-1, 29-3, and 29-5
Baltimore City Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Laws of Baltimore City read as follows:

Baltimore City Code

Article 19. Police Ordinances

Subtitle 29. Mass Transit Vehicles

[§ 291] Eating and drinking.

(a) Prohibited conduct.

It shall be unlawful for any person to consume food or drink aboard a public passenger motor bus.

(b) Penalties.

Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be subject to a fine not exceeding \$50 for each and every such violation.]

[§ 293] Radios and other electronics.

(a) Prohibited conduct.

It is unlawful for any person who is a passenger or rider upon any public passenger motor bus, streetcar, or other mass transit vehicle to operate and to make audible sounds with any radio, transistor radio, or other electronic equipment or device.

(b) Penalties.

Any person violating the provisions of this section is guilty of a misdemeanor and, upon conviction thereof, shall be subject to a fine not exceeding \$10 for each such violation.]

[§ 295] Priority seats for elderly and disabled.

(a) Definitions.

(1) In general.

As used in this subtitle the following words have the meanings indicated unless the context indicates otherwise.

(2) Elderly or handicapped person.

“Elderly and handicapped person” means any person who, by reason of illness, injury, age, congenital malfunction, or other permanent or temporary incapacity or disability is unable to utilize mass transit facilities and services as effectively as a person who is not so affected.

(3) Mass transit facility.

“Mass transit facility” means any public passenger motor bus, streetcar, subway, or other mass transit facility operated either by the Mass Transit Administration, which is in the Department of Transportation of the State of Maryland, or by any other publicly or privately owned entity.

(4) Police officer.

“Police officer” means any person who, in his or her official capacity, is authorized by law to make arrests and who is a member of 1 of the following law enforcement agencies:

- (i) the Maryland State Police;
- (ii) the Baltimore City Police Department; or
- (iii) the Mass Transit Administration Police Force of the Department of Transportation.

(5) Priority seating.

“Priority seating” means any seat that is designated for use by elderly or handicapped persons.

(b) Notice of priority seating.

Priority seats shall be posted with a notice informing passengers that elderly and handicapped persons have a right to the priority seat.

(c) Failure to relinquish seat prohibited.

A passenger shall not refuse a request of a mass transit facility operator or police officer to relinquish a priority seat to a handicapped or elderly person displaying a senior citizen or handicapped card issued by the Mass Transit Administration when said handicapped or elderly person requests a priority seat.

(d) Penalties.

Any person who violates the provisions of this section shall be guilty of misdemeanor and, upon conviction, shall be subject to a fine not exceeding \$50 for each violation.]

SECTION 2. AND BE IT FURTHER ORDAINED, That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

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