

Charles County Commissioners 2024 Preliminary Legislative Package



**County Commissioners of
Charles County, Maryland**

The Hon. Reuben B. Collins, II, President

The Hon. Ralph Patterson, Vice President

The Hon. Gilbert “BJ” Bowling

The Hon. Thomasina Coates

The Hon. Amanda M. Stewart, M.Ed.

County Commissioners' 2024 Preliminary Legislative Proposals

1. A proposal to adopt legislation to legalize golf carts and low speed vehicles on Cobb Island.
Proposed by: Faye Hilton, Vice President
Cobb Island Citizen Association pg. 5
2. A proposal to change to Maryland Law 14-402 on behalf of the Adult Guardianship Review Board to change the Board's membership composition requirement for a psychiatrist.
Proposed by: Linda Stansbury, Chairperson
Adult Guardianship Review Board pg.15
3. A proposal to adopt legislation that would prohibit an unlicensed establishment from allowing the consumption of alcohol on their premises.
Proposed by: Charles County Sheriff's Office pg.17
4. A proposal to adopt legislation to prohibit operating unregistered motor vehicles, such as all-terrain vehicles, from being operated on a highway.
Proposed by: Charles County Sheriff's Office pg.20
- 5.A. A proposal to impose an accommodation tax on all short-term rentals (e.g., AirBnB, VRBO) pg.23
- 5.B. A proposal to enact a Parkland Dedication Ordinance to require property developers pay a fee to be used instead of dedicating land (i.e., "fee-in-lieu"), or a combination of dedication or construction of recreational facilities.
Proposed by: Dept. of Recreation, Parks & Toursim
6. A proposal to impose air conditioning requirements for residential rental properties.
Proposed by: Carlos Childs pg.28
7. A proposal to commission a lead testing study to direct the Maryland Department of Health to offer J.C. Parks Elementary and Matthew Henson Middle school's students, faculty, and their families free blood lead testing and lead test at school.
Proposed by: Carlos Childs pg.30
8. A proposal to change the minimum age requirement to run for Charles County School Board from 21 years old to 18 years old.
Proposed by: Carlos Childs pg.31

9. A proposal to amend the municipality incorporation process.
Proposed by: Carlos Childs pg.32
10. A proposal to allow Maryland educators to use any accrued personal leave or leave without pay to provide a public service to any local government and/or non-profit organization for compensation or volunteer capacity.
Proposed by: Derrick Terry pg.33
11. A proposal to allow Maryland educators to accrue compensatory time (max of 90 hours per academic year) for performing educational work duties and/or responsibilities outside of contractual working hours.
Proposed by: Derrick Terry pg.33
12. A proposal to provide 100% to 75% reimbursement to Maryland educators for graduate school or educator renewal courses in exchange for remaining in school system for specified number of academic years (i.e., 4 years after all courses are completed)
Proposed by: Derrick Terry pg.33
13. A proposal to require certain training be completed by those individuals appointed or elected to the governing body of a common ownership community.
Proposed by: Ayana Moore & Eileen Lynch-Britt on behalf of Charles County HOA & Civic Association Alliance pg.37

Cobb Island Citizens Association

PO Box 268 13201 Main Ave Cobb Island, MD 20625 | (240) 416 - 1750 | fhiltoncicavp@gmail.com

August 18, 2023

Board of Charles County Commissioners and Office of the County Attorney
c/o Office of the County Attorney
2023 Legislative Request
200 Baltimore Street
La Plata, Md 20646

Dear Board of Charles County Commissioners and Office of the County Attorney,

I am writing on behalf of the Cobb Island Citizens Association to request your assistance in legalizing golf carts on Cobb Island.

In July 2021, Cobb Island Citizens voted unanimously to legalize golf carts. This is the second time we are presenting this and have made one adjustment to the previous bill request submitted. We have removed the "low speed vehicle" from the wording as they are already legal to drive.

1. Legalization requires a valid driver license, and this requirement will exclude 11- to 16-year-olds from operating golf carts. Unlicensed drivers operating golf carts causes safety risks to both the golf cart occupants, pedestrians, vehicles, and other golf carts.
2. Licensed drivers must drive to the far right of the road. This requirement is common sense golf cart etiquette.
3. Golf carts may not be operated between dusk and dawn.

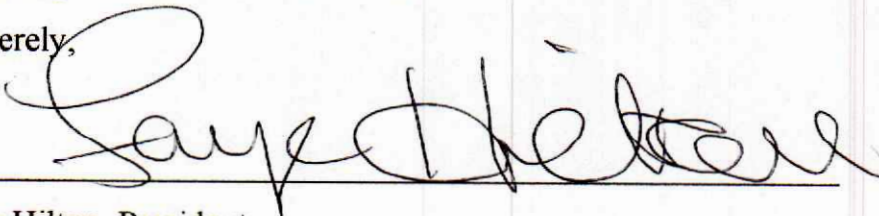
Golf carts are practical and fun. There are over fifty in use on the island. The citizens of Cobb Island, along with the Cobb Island Citizens Association request legislation for safety issues and the ability to report abusers. We feel the island will be a safer place to live and operate golf carts if this legislation is passed.

The bill previously passed the Commissioners and the House but did not pass the Senate. I was not given a reason for the bill not passing although one of the items discussed was that the previous request also mentioned "low speed vehicles" which are already legal to drive on Cobb Island. Golf Cart and Low Speed Vehicles are two very different items.

The Cobb Island Citizens Association and residents of Cobb Island support the legalization of golf carts. The island is small community of residents who enjoy driving their golf carts to and from island events, the market, restaurants, church, and the post office. They are enjoyable and an offer an environmental and economic savings compared to vehicles. As the President of Cobb Island Citizens Association, and a long-term island resident, I ask for your undivided support of legalizing golf carts on Cobb Island because this legalization provides safety mechanisms and makes our island a safer place to live.

On behalf of the Cobb Island Citizens Association board, and the island residents, I ask that you please present this bill for a vote and vote in favor of passing the bill to legalize golf carts on Cobb Island.

Sincerely,

A handwritten signature in black ink, appearing to read 'Faye Hilton', written over a horizontal line.

Faye Hilton, President

Cobb Island Citizens Association

(240) 416 - 1750 | fhiltoncicavp@gmail.com

SENATE BILL 374

R4, R5

3lr1978
CF 3lr1975

By: **Charles County Senators**

Introduced and read first time: February 1, 2023

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Motor Vehicle Registration – Exceptions for Golf Carts and Low Speed Vehicles**
3 **– Cobb Island**

4 FOR the purpose of establishing exceptions to motor vehicle registration requirements for
5 golf carts and low speed vehicles on Cobb Island in Charles County, subject to certain
6 requirements; and generally relating to exceptions to motor vehicle registration
7 requirements for golf carts and low speed vehicles on Cobb Island.

8 BY repealing and reenacting, without amendments,
9 Article – Transportation
10 Section 11–130.1 and 13–402(a)(1)
11 Annotated Code of Maryland
12 (2020 Replacement Volume and 2022 Supplement)

13 BY repealing and reenacting, with amendments,
14 Article – Transportation
15 Section 13–402(c)
16 Annotated Code of Maryland
17 (2020 Replacement Volume and 2022 Supplement)

18 BY adding to
19 Article – Transportation
20 Section 21–104.7 and 21–104.8
21 Annotated Code of Maryland
22 (2020 Replacement Volume and 2022 Supplement)

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

25 **Article – Transportation**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 11-130.1.

2 "Low speed vehicle" means a four-wheeled motor vehicle that has a maximum speed
3 capability that exceeds 20 miles per hour but is less than 25 miles per hour.

4 13-402.

5 (a) (1) Except as otherwise provided in this section or elsewhere in the
6 Maryland Vehicle Law, each motor vehicle, trailer, semitrailer, and pole trailer driven on
7 a highway shall be registered under this subtitle.

8 (c) Registration under this subtitle is not required for:

9 (1) A vehicle that is driven on a highway:

10 (i) In conformity with the provisions of this title relating to
11 manufacturers, transporters, dealers, secured parties, owners or operators of special mobile
12 equipment, or nonresidents; or

13 (ii) Under a temporary registration card issued by the
14 Administration;

15 (2) A vehicle owned and used by the United States, unless an authorized
16 officer or employee of the United States requests registration of the vehicle;

17 (3) A farm tractor or any farm equipment;

18 (4) A vehicle the front or rear wheels of which are lifted from the highway;

19 (5) A towed vehicle that is attached to the towing vehicle by a tow bar and
20 for which no driver is necessary;

21 (6) A vehicle owned by and in the possession of a licensed dealer for purpose
22 of sale;

23 (7) A vehicle owned by a new resident of this State during the first 60 days
24 of residency provided the vehicle displays valid registration issued by the jurisdiction of the
25 resident's former domicile;

26 (8) New vehicles being operated as part of a shuttle, as defined in § 13-626
27 of this title, while following a registered vehicle displaying a shuttle permit issued by the
28 Administration;

29 (9) A vehicle operated in connection with maritime commerce exclusively
30 within any terminal owned or leased by the Maryland Port Administration;

1 (10) A snowmobile that is operated on highways and roadways as prescribed
2 by § 25-102(a)(14) of this article;

3 (11) A golf cart that is operated on a highway on Smith Island, provided that
4 the golf cart is equipped with lighting devices as required by the Administration if it is
5 operated on a highway between dusk and dawn;

6 (12) A golf cart that is operated on a highway in accordance with § 21-104.2,
7 § 21-104.3, § 21-104.4, [or] § 21-104.6, **OR § 21-104.7** of this article;

8 (13) A golf cart that is operated on an Allegany County highway as allowed
9 by the county under § 25-102(a)(16) of this article;

10 (14) A vehicle owned by an accredited consular or diplomatic officer of a
11 foreign government and operated for official or personal purposes when the vehicle displays
12 a valid diplomatic license plate issued by the United States government; [or]

13 (15) A personal delivery device that is operated on a roadway, sidewalk,
14 shoulder, or crosswalk in accordance with § 21-104.5 of this article; **OR**

15 **(16) A LOW SPEED VEHICLE THAT IS OPERATED ON A HIGHWAY IN**
16 **ACCORDANCE WITH § 21-104.8 OF THIS ARTICLE.**

17 **21-104.7.**

18 **A PERSON WHO OPERATES A GOLF CART ON A HIGHWAY ON COBB ISLAND,**
19 **CHARLES COUNTY, WITHOUT REGISTRATION AS AUTHORIZED UNDER §**
20 **13-402(C)(12) OF THIS ARTICLE:**

21 **(1) MAY OPERATE THE GOLF CART ONLY:**

22 **(I) ON A HIGHWAY ON WHICH THE MAXIMUM POSTED SPEED**
23 **LIMIT DOES NOT EXCEED 30 MILES PER HOUR;**

24 **(II) BETWEEN DAWN AND DUSK; AND**

25 **(III) IF THE GOLF CART IS EQUIPPED WITH LIGHTING DEVICES**
26 **AS REQUIRED BY THE ADMINISTRATION;**

27 **(2) SHALL KEEP THE GOLF CART AS FAR TO THE RIGHT OF THE**
28 **ROADWAY AS FEASIBLE; AND**

29 **(3) SHALL POSSESS A VALID DRIVER'S LICENSE.**

30 **21-104.8.**

1 A PERSON WHO OPERATES A LOW SPEED VEHICLE ON A HIGHWAY ON COBB
2 ISLAND, CHARLES COUNTY, WITHOUT REGISTRATION AS AUTHORIZED UNDER §
3 13-402(C)(16) OF THIS ARTICLE:

4 (1) MAY OPERATE THE LOW SPEED VEHICLE ONLY:

5 (I) ON A HIGHWAY ON WHICH THE MAXIMUM POSTED SPEED
6 LIMIT DOES NOT EXCEED 30 MILES PER HOUR;

7 (II) BETWEEN DAWN AND DUSK; AND

8 (III) IF THE LOW SPEED VEHICLE IS EQUIPPED WITH LIGHTING
9 DEVICES AS REQUIRED BY THE ADMINISTRATION;

10 (2) SHALL KEEP THE LOW SPEED VEHICLE AS FAR TO THE RIGHT OF
11 THE ROADWAY AS FEASIBLE; AND

12 (3) SHALL POSSESS A VALID DRIVER'S LICENSE.

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
14 1, 2023.

SENATE BILL 76

R4, R5

2lr1067

(PRE-FILED)

By: Senator Ellis

Requested: October 29, 2021

Introduced and read first time: January 12, 2022

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Motor Vehicle Registration – Exceptions for Golf Carts and Low Speed Vehicles**
3 **– Cobb Island**

4 FOR the purpose of establishing exceptions to motor vehicle registration requirements for
5 golf carts and low speed vehicles on Cobb Island in Charles County, subject to certain
6 requirements; and generally relating to exceptions to motor vehicle registration
7 requirements for golf carts and low speed vehicles on Cobb Island.

8 BY repealing and reenacting, without amendments,
9 Article – Transportation
10 Section 11–130.1 and 13–402(a)(1)
11 Annotated Code of Maryland
12 (2020 Replacement Volume and 2021 Supplement)

13 BY repealing and reenacting, with amendments,
14 Article – Transportation
15 Section 13–402(c)
16 Annotated Code of Maryland
17 (2020 Replacement Volume and 2021 Supplement)

18 BY adding to
19 Article – Transportation
20 Section 21–104.5 and 21–104.6
21 Annotated Code of Maryland
22 (2020 Replacement Volume and 2021 Supplement)

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

25 **Article – Transportation**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



SENATE BILL 76

R4, R5

2lr1067

(PRE-FILED)

By: **Senator Ellis**

Requested: October 29, 2021

Introduced and read first time: January 12, 2022

Assigned to: Judicial Proceedings

Committee Report: Favorable

Senate action: Adopted

Read second time: February 3, 2022

CHAPTER _____

- 1 AN ACT concerning
- 2 **Motor Vehicle Registration – Exceptions for Golf Carts and Low Speed Vehicles**
- 3 **– Cobb Island**
- 4 FOR the purpose of establishing exceptions to motor vehicle registration requirements for
- 5 golf carts and low speed vehicles on Cobb Island in Charles County, subject to certain
- 6 requirements; and generally relating to exceptions to motor vehicle registration
- 7 requirements for golf carts and low speed vehicles on Cobb Island.
- 8 BY repealing and reenacting, without amendments,
- 9 Article – Transportation
- 10 Section 11–130.1 and 13–402(a)(1)
- 11 Annotated Code of Maryland
- 12 (2020 Replacement Volume and 2021 Supplement)
- 13 BY repealing and reenacting, with amendments,
- 14 Article – Transportation
- 15 Section 13–402(c)
- 16 Annotated Code of Maryland
- 17 (2020 Replacement Volume and 2021 Supplement)
- 18 BY adding to
- 19 Article – Transportation
- 20 Section 21–104.5 and 21–104.6
- 21 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strikes out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



(2020 Replacement Volume and 2021 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

That the Laws of Maryland read as follows:

Article – Transportation

11–130.1.

“Low speed vehicle” means a four-wheeled motor vehicle that has a maximum speed capability that exceeds 20 miles per hour but is less than 25 miles per hour.

13–402.

(a) (1) Except as otherwise provided in this section or elsewhere in the Maryland Vehicle Law, each motor vehicle, trailer, semitrailer, and pole trailer driven on a highway shall be registered under this subtitle.

(c) Registration under this subtitle is not required for:

(1) A vehicle that is driven on a highway:

(i) In conformity with the provisions of this title relating to manufacturers, transporters, dealers, secured parties, owners or operators of special mobile equipment, or nonresidents; or

(ii) Under a temporary registration card issued by the Administration;

(2) A vehicle owned and used by the United States, unless an authorized officer or employee of the United States requests registration of the vehicle;

(3) A farm tractor or any farm equipment;

(4) A vehicle the front or rear wheels of which are lifted from the highway;

(5) A towed vehicle that is attached to the towing vehicle by a tow bar and for which no driver is necessary;

(6) A vehicle owned by and in the possession of a licensed dealer for purpose of sale;

(7) A vehicle owned by a new resident of this State during the first 60 days of residency provided the vehicle displays valid registration issued by the jurisdiction of the resident's former domicile;

(8) New vehicles being operated as part of a shuttle, as defined in § 13-626 of this title, while following a registered vehicle displaying a shuttle permit issued by the Administration;

(9) A vehicle operated in connection with maritime commerce exclusively within any terminal owned or leased by the Maryland Port Administration;

(10) A snowmobile that is operated on highways and roadways as prescribed by § 25-102(a)(14) of this article;

(11) A golf cart that is operated on a highway on Smith Island, provided that the golf cart is equipped with lighting devices as required by the Administration if it is operated on a highway between dusk and dawn;

(12) A golf cart that is operated on a highway in accordance with §§ 21-104.2 through 21-104.4] **§ 21-104.2, § 21-104.3, § 21-104.4, OR § 21-104.5** of this article;

(13) A golf cart that is operated on an Allegany County highway as allowed by the county under § 25-102(a)(16) of this article; [or]

(14) A vehicle owned by an accredited consular or diplomatic officer of a foreign government and operated for official or personal purposes when the vehicle displays a valid diplomatic license plate issued by the United States government; OR

(15) A LOW SPEED VEHICLE THAT IS OPERATED ON A HIGHWAY IN ACCORDANCE WITH § 21-104.6 OF THIS ARTICLE.

21-104.5.

A PERSON WHO OPERATES A GOLF CART ON A HIGHWAY ON COBB ISLAND, CHARLES COUNTY, WITHOUT REGISTRATION AS AUTHORIZED UNDER § 13-402(C)(12) OF THIS ARTICLE:

(1) MAY OPERATE THE GOLF CART ONLY:

(I) ON A HIGHWAY ON WHICH THE MAXIMUM POSTED SPEED LIMIT DOES NOT EXCEED 30 MILES PER HOUR;

(II) BETWEEN DAWN AND DUSK; AND

(III) IF THE GOLF CART IS EQUIPPED WITH LIGHTING DEVICES AS REQUIRED BY THE ADMINISTRATION;

1 (2) SHALL KEEP THE GOLF CART AS FAR TO THE RIGHT OF THE
2 ROADWAY AS FEASIBLE; AND

3 (3) SHALL POSSESS A VALID DRIVER'S LICENSE.

4 21-104.6.

5 A PERSON WHO OPERATES A LOW SPEED VEHICLE ON A HIGHWAY ON COBB
6 ISLAND, CHARLES COUNTY, WITHOUT REGISTRATION AS AUTHORIZED UNDER §
7 13-402(C)(15) OF THIS ARTICLE:

8 (1) MAY OPERATE THE LOW SPEED VEHICLE ONLY:

9 (I) ON A HIGHWAY ON WHICH THE MAXIMUM POSTED SPEED
10 LIMIT DOES NOT EXCEED 30 MILES PER HOUR;

11 (II) BETWEEN DAWN AND DUSK; AND

12 (III) IF THE LOW SPEED VEHICLE IS EQUIPPED WITH LIGHTING
13 DEVICES AS REQUIRED BY THE ADMINISTRATION;

14 (2) SHALL KEEP THE LOW SPEED VEHICLE AS FAR TO THE RIGHT OF
15 THE ROADWAY AS FEASIBLE; AND

16 (3) SHALL POSSESS A VALID DRIVER'S LICENSE.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
18 1, 2022.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.



ADULT GUARDIANSHIP REVIEW BOARD

August 7, 2023

Charles County Board of Commissioners
200 Baltimore Avenue
La Plata, MD 20646

Dear Charles County Commissioners:

The Adult Public Guardianship Review Board (Board) would like to propose a legislative change to the Maryland Family Law Code Article, Title 14 Section 14-402(a)(2)(ii), concerning the Board's membership composition requirement for a psychiatrist.

Currently, the statute requires that the Board composition include 11 members and for all counties other than St. Mary's and Washington Counties, one member must be a licensed psychiatrist. Maryland Family Law Code Article, Title 14 Section 14-402(a)(2)(ii).

(2) Of the 11 members:

(i) 1 shall be a professional representative of a local department;

(ii) 1. in counties other than St. Mary's County or Washington County:

A. 1 shall be a physician's assistant, nurse practitioner, or physician who is not a psychiatrist; and

B. 1 shall be a psychiatrist; and

2. in St. Mary's County and Washington County:

A. 1 shall be a physician's assistant, nurse practitioner, or physician who is not a psychiatrist; and

B. 1 shall be a psychiatrist or psychologist;

Therefore, Charles County is required to have a psychiatrist as a member on its Board. Due to the scarcity of licensed psychiatrists in southern Maryland, it has been very difficult to find a psychiatrist in Charles County willing to serve on the Board. St. Mary's County has also been challenged by the lack of psychiatrists in the area and petitioned the Maryland General Assembly for an exception to the statute that permits either a psychiatrist or a psychologist to serve on their Board. Additionally, the Board understands that the Charles County Health Department is also impacted by the limited number of psychiatrists in the area.

Thus, the Board is requesting that the statute membership requirement be changed to indicate that in Charles County, the member can be a licensed psychiatrist, or a physician's assistant or nurse practitioner in the field of psychiatry.

Proposed change:

3. in Charles County:

A. 1 shall be a physician's assistant, nurse practitioner, or physician who is not a psychiatrist;
and

B. 1 shall be a psychiatrist or **a physician's assistant or nurse practitioner in the field of psychiatry.**

The Board is submitting this proposed legislative change for Commissioner approval and inclusion in the Charles County's legislative proposal packet that will be introduced during the 2024 Session of the Maryland General Assembly.

Please contact Linda Stansbury if you have any questions or comments via email at lms100850@aol.com or by telephone at 301-943-6713.

Sincerely,

Linda Stansbury
Chair
Adult Guardianship Review Board



Charles County Sheriff's Office
Legislative Proposal
Legislative Session 2024

ALCOHOLIC BEVERAGES: UNLICENSED ESTABLISHMENTS

Issue: Currently Maryland law prohibits an unlicensed establishment from allowing the consumption of alcohol on their premises. This regulation only applies to unlicensed establishments that offers or provides live entertainment. There is no law to prohibit a commercial type business from encouraging and allowing its customers to bring and consume alcohol within the establishment. This practice allows these establishments or venues to avoid obtaining alcohol related licenses and permits. The Sheriff's Office is frequently called to these locations for complaints of illegal drug activity, disorderly conduct, other alcohol related offenses and other crimes.

Proposal: Amend Alcohol Beverages § 18-2501(a) to prohibit an unlicensed establishment in Charles County from allowing consumption on its premises by deleting "that offers or provides live entertainment." See suggested bill draft.

BILL DRAFT - Alcoholic Beverages §18-2501

AN ACT concerning

Charles County – Selling, serving, keeping, or allowing consumption of alcoholic beverages

FOR the purpose of prohibiting in Charles County the selling, serving, keeping, or allowing of alcoholic beverages by unlicensed establishments.

BY amending

Article – Alcoholic Beverages
Section 18-2501
Annotated Code of Maryland
(2216 Replacement Volume and 2022 Supplement)

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

Article- Alcoholic Beverages

18-2501

(a) Except as provided in subsection (b) of this section, an unlicensed establishment ~~that offers or provides live entertainment~~ may not, at a location under the control or possession of the establishment, sell, serve, keep, or allow to be consumed:

- (1) alcoholic beverages;
- (2) setups; or
- (3) other component parts of mixed alcoholic drinks.

(b) As long as ~~live entertainment is not offered or provided~~ ALCOHOLIC BEVERAGES ARE NOT OFFERED, SOLD, SERVED, KEPT, OR ALLOWED TO BE CONSUMED more than 8 days in a calendar month, the following are exempted from the prohibitions in subsection (a) of this section:

- (1) the room of a registered guest in a hotel or motel;
- (2) property owned by a volunteer fire company;
- (3) property owned and operated by a community or homeowners association composed only of property owners in a single subdivision; or

(4) property owned by a religious institution.

(c) A person that violates this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 2 years or a fine not exceeding \$10,000 or both.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2024.



Charles County Sheriff's Office
Legislative Proposal
Legislative Session 2024

OFF-ROAD VEHICLES ON PUBLIC HIGHWAYS

Issue: Maryland law prohibits operating unregistered motor vehicles, such as all-terrain vehicles, from being on operated on a highway and on private or public property without permission. Despite that law, the Sheriff's Office continues to receive complaints of individuals operating off-road vehicles on our public roads in reckless and dangerous manners, or operating off-road vehicles. Individuals are also trespassing on private and public property and causing damages. These individuals often elude or attempt to elude police. If they are stopped and identified, their vehicle may be towed from the scene but they are able to recover it fairly easily and continue their behavior.

For calendar year 2023 (through August 14), the Sheriff's Office has recorded **444** events relating to the operation of off-road vehicles.

Proposal: Enable the County Commissioners to create regulations allowing for the impoundment of off-road vehicles used in violation of Maryland law. §25-201.1(b) allows a county to "regulate the operation of off-the-road motorcycles, require them to be registered, and impose a registration fee for them." Amend §25-102.1 by adding a new subsection as described in the attached draft.

BILL DRAFT - Transportation §25-102.1

AN ACT concerning

Off-Highway Recreational Vehicles -Charles County - Regulation

FOR the purpose of authorizing the Commissioners of Charles County to regulate the use off-road vehicles in Charles County and prescribe penalties for violations.

BY adding to

Article - Transportation
Section 25-102.1
Annotated Code of Maryland
(2021 Replacement Volume and 2022 Supplement)

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

Article- Transportation

25-102.1

(c)

(1) THIS SECTION ONLY APPLIES IN CHARLES COUNTY.

(2) "OFF-HIGHWAY RECREATIONAL VEHICLE" HAS THE MEANING
PROVIDED IN §11-140.1 OF THIS TITLE.

(2) THE COUNTY COMMISSIONERS MAY REGULATE THE OPERATION OF
OFF-HIGHWAY RECREATIONAL VEHICLES. THE REGULATIONS MAY INCLUDE:

(i) REGISTRATION REQUIREMENTS;

(ii) AGE RESTRICTIONS; AND

(iii) IMPOUNDMENT OF VEHICLES USED IN VIOLATION OF TITLE 21,
SUBTITLE 900, OF THIS ARTICLE, §6-404 OF THE CRIMINAL LAW ARTICLE, OR §6-
405 OF THE CRIMINAL LAW ARTICLE.

(3) ANY IMPOUNDMENT AUTHORIZED BY THE COUNTY COMMISSIONERS
SHALL INCLUDE PROVISIONS FOR THE RELEASE OF VEHICLES, RESTRICTIONS ON
CONTINUED IMPOUNDMENT, DEFENSES TO CONTINUED IMPOUNDMENT, AND

MAY INCLUDE THE IMPOSITION OF A CIVIL FINE AND, FOR REPEAT VIOLATIONS, FORFEITURE OF THE VEHICLE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2024.

ACCOMMODATION TAX AND PARKLAND DEDICATION ORDINANCE

RPT is proposing that Charles County impose an accommodation tax on all short-term rentals (e.g., AirBnB, VRBO) taking place in the County like hotels and motels are currently required to do. This will allow the county to collect tax from property owner's that are renting their homes and generating income. The tax collected has two primary purposes: 1) reinvest in the County's tourism efforts to market the county's amenities and attract new visitors to the County and 2) address the challenges that come with short term rentals to include improve compliance and reduce noise/party issues. Please see attached for a 2021 assessment that provides more than adequate background data, proposed compliance system and cost. Additionally attached is the St. Mary's resolution (please be advised that the language in section III was removed prior to the resolution adoption in 2021).

RPT is proposing that Charles County create a Parkland Dedication Ordinance to require property developers pay a fee to be used instead of dedicating land (i.e., "fee-in-lieu"), or a combination of dedication or construction of recreational facilities. For example, if a \$2,000 exaction is imposed (fee in lieu and/or impact fee), there are multiple options for absorbing the cost without impacting current residents: 1) homeowners pay more (a \$200,000 home is priced at \$202,000, 2) homeowners get less space (instead of 2,000 sq ft, they get 1,980 sq ft (at \$100 per sq ft), or 3) cost is passed back to the land seller who receives a lower price for the land (long term; market forces). New development generates a need for additional park amenities. This will ensure the park system grows along with the community and the people responsible for creating that need bear the cost of providing the new amenities. <https://online.encodeplus.com/regs/princegeorgescounty-md/doc-viewer.aspx?secid=1048#secid-1048>

Subject: Administrative Procedure - To Establish Regulations to Provide for the Orderly, Systematic, and Thorough Administration of the Accommodation Tax.

LIBER 0029 FILE 025

Page 1 of 3

RESOLUTION

TO ESTABLISH REGULATIONS TO PROVIDE FOR THE ORDERLY, SYSTEMATIC AND THOROUGH ADMINISTRATION OF THE ACCOMMODATION TAX

WHEREAS, Maryland Annotated Code, Local Government § 20-400 *et seq.* authorizes the Commissioners of St. Mary's County to impose an accommodation tax; and

WHEREAS, by Ordinance 1986-14, the Commissioners of St. Mary's County imposed an accommodation tax pursuant to Chapter 267-20 *et seq.* of the Code of St. Mary's County; and

WHEREAS, Local Government § 20-412 and Code of St. Mary's County § 267-22.2.A authorizes the Commissioners of St. Mary's County to establish regulations to provide for the orderly, systematic, and thorough administration of the accommodation tax; and

WHEREAS, Local Government § 20-406 and Code of St. Mary's County § 267-22.1.B require hotels to collect the accommodation tax; and

WHEREAS, the Commissioners of St. Mary's County find that it is in the best interest of the health, safety, and welfare of the citizens of St. Mary's County to establish regulations to provide for the orderly, systematic, and thorough administration of the accommodation tax,

NOW, THEREFORE, BE IT RESOLVED, by Commissioners of St. Mary's County that:

SECTION I. DEFINITIONS.

1. A "booking service" means a reservation and/or payment service provided by a person or entity that facilitates a hotel rental transaction between a host and a prospective guest for which the person or entity collects fees or taxes in connection with the reservation or facilitates payment services between the host and guest.
2. A "host" means a legal owner of a residential dwelling unit who provides or offers to provide all or part of a residential dwelling unit as a hotel.
3. A "hosting platform" means a person or entity that facilitates a hotel rental by providing booking services through which a host may lawfully provide a residential dwelling unit as a hotel.

Subject: **Administrative Procedure - To Establish Regulations to Provide for the Orderly, Systematic, and Thorough Administration of the Accommodation Tax.**

LIBER 0029 FORM 026

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4. A "hotel" means an establishment, including an apartment, cottage, hostelry, inn, motel, rooming house, or tourist home, that offers sleeping accommodation for compensation to any transient.

SECTION II. COLLECTION & REMITTANCE.

5. All hosting platforms shall collect St. Mary's County accommodation taxes at the rate defined by § 267-21 of the St. Mary's County Code, as amended.
6. All hosting platforms shall remit all St. Mary's County accommodation taxes, including but not limited to those collected by the host, to St. Mary's County Finance Department on or before the 21st day of each and every month for the preceding month.

SECTION III. REPORTING.

7. By January 1, 2022 and every year thereafter, all hosting platforms shall provide to the St. Mary's County Department of Economic Development a complete list of all owners of hotel properties listed on their hosting platform located in St. Mary's County and the mailing address for each owner.

SECTION III. This Resolution shall be effective upon the date of its adoption.

AND BE IT FURTHER RESOLVED, by the Commissioners of St. Mary's County, that this Resolution shall be effective upon the date written below.

Those voting Aye: 5

Those voting Nay: 0

Those Abstaining: 0

Date of Adoption: October 5, 2021

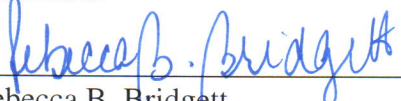
Effective Date: October 19, 2021

Subject: Administrative Procedure - To
Establish Regulations to Provide
for the Orderly, Systematic, and
Thorough Administration of the
Accommodation Tax.

LIBER 0029 FORM 327

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ATTEST:



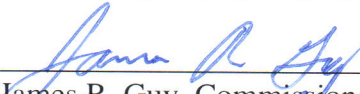
Rebecca B. Bridgett
County Administrator

Approved as to form and legal
sufficiency:



David A. Weiskopf
County Attorney

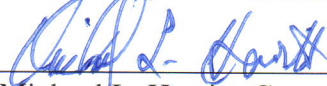
COMMISSIONERS OF ST. MARY'S COUNTY



James R. Guy, Commissioner President



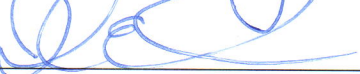
Eric Colvin, Commissioner



Michael L. Hewitt, Commissioner



Todd B. Morgan, Commissioner



John E. O'Connor, Commissioner

DOCUMENT VALIDATION

LR - Government
Instrument 0.00
Agency Name:
commissioners of st.
marys county
Instrument List: Other
Describe Other:
resolutions
Ref: mm/county comm/
liber 29 folio 325

Total: 0.00
10/07/2021 02:57
CC18-JuH
#15500837 CC0704 - St
Mary's
County/CC07.04.02 -
Register 02

Circuit Court for St. Mary's County
PO Box 676
41605 Courthouse Drive
Leonardtown, MD 20650
(301) 475-7844

Air Condition Legislative Proposal:

1. Require all multi-family residential rental property owners and single-family residential rental property owners to provide and maintain air conditioning service for rental housing units located in the county.
2. Each property owner of multi-family and single-family rental housing where cooling is under the control of the tenant, must provide an air conditioning system capable of maintaining a temperature of no more than 70 degrees Fahrenheit in each habitable space, including bathrooms, toilet rooms, and unit hallways at a minimum height of 5 feet above floor level.
3. Each property owner of multi-family and single-family rental housing where cooling is not under the control of the tenant must maintain a temperature of no more than 75 degrees Fahrenheit from May 1st to September 30th in each habitable space, including bathrooms, toilet rooms, and unit hallways at a minimum height of 5 feet above floor level.
4. Property owners shall be given 12 months following the passage of the legislation to make any maintenance upgrade to be in compliance with this legislation.

Supporting information:

<https://www.marylandmatters.org/2023/07/31/commentary-renters-deserve-air-conditioning/>

- [2022](#)
 - 3 heat advisories in MD
 - June 24
 - August 3
 - August 9
 - Heat Advisory criteria
 - The National Weather Service will issue a Heat Advisory when the heat index value is expected to reach 105 to 109 degrees Fahrenheit within the next 12 to 24 hours. A Heat Advisory may be issued for lower criteria if it is early in the season or during a multi-day heat wave.
 - Excessive Heat Warning criteria
 - The National Weather Service will issue an Excessive Heat Warning when the heat index value is expected to reach or exceed 110 degrees Fahrenheit within the next 12 to 24 hours. An Excessive Heat Warning may be issued for lower criteria if it is early in the season or during a multi-day heat wave.
 - Emergency Department Chief Complaints Regarding Heat-related Illnesses for May 17, 2022, to September 12, 2022 were around 200 complaints in Charles County
- [2023](#)
 - Emergency Department and Urgent Care Complaints of Heat Related Illness
 - [July 25 - July 31](#)

- 503 in MD
- 12 in Charles County
- Age breakdown in MD
 - Ages 0-4 (15)
 - Ages 5-17 (50)
 - Ages 18-44 (183)
 - Ages 45-65 (114)
 - Ages 65+ (141)

■ August 1 - August 7

- 320 in MD
- 10 in Charles County
- Age breakdown in MD
 - Ages 0-4 (15)
 - Ages 5-17 (14)
 - Ages 18-44 (138)
 - Ages 45-64 (76)
 - Ages 65+ (77)

Lead Testing Legislative proposal:

1. Commission a lead testing study to direct the Maryland Department of Health to offer J. C. Parks Elementary and Matthew Henson Middle school's students, faculty, and their families residing in the same house as them, free blood lead testing and lead test school surfaces and soil.

Supporting information:

The Maryland Airport is located less than 1-mile from J. C. Parks Elementary and Matthew Henson Middle schools, in the Bryan's Road area. Many of the planes that frequent the airport are piston-engine planes, which the Environmental Protection Agency suggests "are the largest source of lead particles in the air", and use avgas fuel. The Federal Aviation Administration says, "[avgas] remains the only transportation fuel in the United State to contain lead". When the planes take off, land, and fly near the two schools fuel exhaust, containing many harmful chemicals including lead, are dropped on the schools. The Center for Disease Control stated people can be exposed to lead by breathing-in, ingesting, and coming in contact with lead dust. Lead particles can also stick to clothing and other surfaces to be brought home to students' and faculty's families.

Lead is a dangerous chemical for all people, especially children. The Mayo Clinic has stated "there is no safe blood level of lead". Lead poisoning in young children has been linked to cognitive, behavioral, and physical health issues. These issues include a lack of attention, learning difficulties, increased aggression, brain and kidney damage, and more.

This is not just a Charles County issue. In Santa Clara County, California, the county Board of Supervisors voted to ban the sale of leaded fuel at the Reid-Hillview and San Martin airports in August 2021, after a peer-reviewed study was released that linked the airports' use of leaded fuel to Flint, Michigan levels of lead exposure.

Lowering the Age to Run for School Board in Charles County legislative proposal:

1. Change the minimum age requirement to run for Charles County School Board from 21 years old to 18 years old.

Supporting information:

The minimum age to run for City and Town Council and Commissioner, within Charles County, is 18 years old. As well the majority of counties in the state allow 18 year olds to run for school board.

We entrust 18 year olds to pay taxes, join the military, take on hundreds of thousands of dollars in student debt, vote, etc. Our county also allows student members, who are under the age of 18, of the board to vote on multiple issues. An eighteen year old, if elected, would have a unique insight having recently graduated from Charles County Public Schools and having been directly affected by the board's policies. Candidates between the ages of 18 and 20 would still have to run, raise money, knock doors, gain support from voters, etc. in order to win a seat on the board.

Municipality Incorporation Process legislative proposal:

1. Require a petition for municipal incorporation be signed by 25% of registered voters within the area to be incorporated, who are registered to vote in county elections.
2. The petition shall include a detailed description of the proposed municipal boundaries, the name of the proposed municipality, and a copy of the proposed charter as a supplement to the petition.
3. Petitioners can only submit signatures that are within one year of the first signer.
4. Once the County Board of Election has verified the petition complies with the law's requirements, a ballot initiative for municipal incorporation shall be put on the upcoming general election ballot.
5. The ballot initiative shall only be submitted to the registered voters of the area proposed for incorporation.
6. If a majority of those voting on the initiative vote for the incorporation, the area proposed shall become an incorporated municipality under the charter posted during the ballot initiative.

Maryland Educators' Recruitment and Retention Proposal(s)

As a former 18-year public school special educator, I firmly believe all educators are worth far more money than they are currently being paid. However, I understand that local/state tax dollars sometimes won't provide a suitable and fair pay formula considering the complexities of local government and community needs. In addition, I know that educators have for decades worked more hours with less resources and in most cases...after contract hours.

I am presenting this proposal as a constituent, former educator, and special education advocate as well as Maryland educators. I feel educators have been neglected for far too long and we are at a critical point in education where if we don't do something to quickly address the teacher shortage epidemic our youth will suffer in the long-run. In my honest opinion, every election year incumbents and/or candidates preach about how important educators are with promises of increased pay, reduced workload, smaller classes, better working environments, etc., etc.

Under the current MD BluePrint there is emphasis on college/career readiness, governance/accountability, early childhood education, student resources, and the teacher recruitment/retention (which includes increased pay). However, there is extraordinarily little that addresses the decades of FREE labor educators have been expected to perform, sometimes under much stress, with no compensation or ability to make up that time. In addition, educators aren't forwarded the special privileges allotted to some elected officials serving as a part-time educator and a part-time politician. There is a teacher shortage, yet some politicians are permitted to use personal leave (some with or without pay) while their students get a part-time educator/education. I don't believe the MD BluePrint is going to address the teacher recruitment/retention woes because of the high price tag local jurisdictions will have to absorb as well as the lack of a robust approach to true education reform.

Furthermore, educators work an average of 10 hours of free labor and the average gross pay is \$60,000 per year; many educators work as much as 20 hours per week while few work zero hours after contract hours. Below are estimated calculations to demonstrate how much additional money educators are denied while most hourly-contracted employees are not denied additional money.

\$60,000 per year average salary (based of gross pay)

\$5,000 per month

\$2,500 per two weeks

\$250 per day based on 10 workdays per pay period

\$33 per hour based on 7.5 hours per day (which normally includes 2 additional hours per month for staff meeting and/or extra duty)

When you take into account an average of 10 hours per week (to include all 7 days of the week) an educator is not paid the following based on 9 weeks per academic quarter (4 quarters in academic year):

$\$33 \text{ per hour} \times 10 \text{ hours per week} \times 9 \text{ weeks} = \$2,970 \text{ per quarter}$

$\$2,970 \text{ per quarter} \times 4 \text{ quarters} = \$11,880 \text{ per academic year}$

Based on these estimations, a school system with the following number of educators would have saved the following on free labor:

1,900 Charles County educators x \$11,880 per academic year = \$22,572,000

10,000 Prince Georges educators x \$11,880 per academic year = \$118,800,000

60,000 MD x \$11,880 per academic year = \$712,800,000

Hence, the reason for the following proposals to assist with Maryland educators' recruitment and retention efforts.

PROPOSAL 1:

Maryland educators permitted to use any accrued personal leave or leave without pay to provide a public service to any local government and/or non-profit organization for compensation or volunteer capacity.

Justification:

Most, if not all school districts' teachers' contract agreements, prohibit educators from using accrued leave or leave without pay to work, gain additional income, or volunteer with government organizations, family service agencies, or 501(c)(3) non-profits during contract hours or in some cases at all.

Currently, several Maryland public school educators can use leave with or without pay to provide a public service to his or her constituents as an elected Maryland official. In some cases, elected officials can and/or serve(d) in another Maryland county if it is in the best interest of the respective school district accompanied by a written letter from a superintendent from the respective school district. Hence, Maryland elected officials have been granted permission to use accrued personal leave at the taxpayers' expense or take scheduled and/or unscheduled leaves of absences where most if not all other Maryland educators are strictly prohibited. Moreover, it is to the point that some MD school systems

won't permit an educator to tutor a student from the same school system outside of contract hours.

Why couldn't a health/science educator work as a subject matter expert with a health department or volunteer with a non-profit environmental group? Why couldn't a math teacher provide his or her expertise as statistical analyst assisting with the general population data to be used for planning and growth development in the school district? Why couldn't a special education teacher provide general/legal knowledge and/or serve as a subject matter expert in the County and/or State disabilities' office or provide much needed services within our juvenile detention centers and/or mental health facilities?

In the spirit of fairness and the uncertainty of Maryland educators' receiving equitable and higher pay, ongoing teacher shortages, and sinking morale, it is only reasonable that Maryland educators be able to volunteer or seek compensation from local governments and/or non-profits regardless of if they don't live in the school district they serve. This is a win-win for both because it is a positive means to absorb cost and/or resources as well as providing a service to any Maryland community and/or County. In addition, this could increase educator recruiting efforts and increase educator retention across the Maryland.

PROPOSAL 2:

Allow Maryland educators to accrue compensatory time (max of 90 hours per academic year) for performing educational work duties and/or responsibilities outside of contractual working hours.

Justification:

Educators perform such duties and/or responsibilities as grading assignments, lesson planning, substituting for other classes during their planning period, working on Individual Education Programs (IEPs) or general or special education-related duties and/or work without monetary or compensatory reward.

Instead, grant Maryland educators time earned for each hour (not to exceed 90 hours in an academic year or 5 hours per school week) to be used for mental and/or physical time-off to relieve the stress of work extra hours without pay or compensatory time.

PROPOSAL 3:

100% to 75% reimbursement to Maryland educators for graduate school or educator renewal courses in exchange for remaining in school system for specified number of academic years (i.e., 4 years after all courses are completed)

Justification:

As a whole, Maryland educators are required to enroll in constant professional development courses in order to remain certified at the financial expense of their own vs. the school system(s). Corporations, the medical field, law enforcement, military, or most private/government sector areas fully or partially reimburse employee(s) for the required courses in exchange for specified year(s) of committed service. However, many MD school systems offer tuition reimbursement but it is not equitable statewide as to the percentage of reimbursement and it is often dependent upon grant money.

Respectfully submitted,

Derrick N. Terry
Education Advocate
Edvocare, LLC



edvocare@gmail.com
www.edvocare.org



Homeowner Association and Civic Association Board Member Education Legislative Proposal

There are more than 7,000 common ownership communities in the state of Maryland, and this number is growing exponentially yearly. The board members of these entities are responsible for making vital decisions that tangibly affect their community members' lives. In order to be savvy decision-makers, board members need to be educated on a wide variety of topics related to community associations. In addition, board member education is critical for ensuring that associations are run efficiently and effectively. Properly onboarding new board members sets them and the community up for success. To that end, we propose the following legislative changes with the aforementioned goals in mind:

Within 90 days of being appointed or elected to the governing body of a common ownership community for the first time, members must complete training of the following topics:

- Maryland Homeowners Association Act
- Board Roles & Responsibilities
- Fiduciary Duty
- Responsible Governance Policies
- Legal Structures and Guidelines
- Reserves and Audits
- Meeting Procedures and Requirements
- Handling Disputes
- Insurance and Bonding
- Community Maintenance
- Records
- State and local resources for governing bodies

Additionally, each member of the governing body shall certify in writing that he or she has read the association's declaration of covenants, bylaws, articles of incorporation and any written rules and policies.

There are currently resources at the County's disposal that can be used to aid in the development and execution of the proposed training curriculum. The County currently facilitates a Citizens Academy. It is possible that training for governing body members could be an offshoot of this initiative, via online video instruction or virtual meetings. Additionally, The Montgomery County Commission on Common Ownership Communities provides online training that is currently openly available to anyone. Although this training is relevant to common ownership communities in Charles County, it is my suggestion that the County tailor and devise its own



curriculum for associations located within its boundaries. (A link to the Montgomery County Online Training:

<https://ex01.montgomerycountymd.gov/cas/login?service=https%3a%2f%2fex11.montgomerycountymd.gov%2fextranetportal%2f>)

Upon satisfying the training requirement a certificate of completion will be issued, which is valid for the uninterrupted tenure of the director on the board. A director who does not timely satisfy the education requirements shall be suspended from the board until he or she complies with the requirement. The board reserves the right to temporarily fill the vacancy during the period of suspension. Any director who does not comply with this ordinance is potentially subjected to a fine of \$500.

The association shall retain each director's written certification or educational certificate for inspection by the members for 5 years after the director's election. The County will ensure compliance via random inspections.

We would also like to note that Montgomery County has a similar ordinance in place. Below is a brief overview:

The Montgomery County Commission on Common Ownership Communities ("CCOC") provides a training program, "Community Governance Fundamentals", for common ownership community board members and residents. It is designed to promote more knowledgeable and responsible management of common ownership communities. Such self-governing residential communities include condominiums, cooperatives and homeowners' associations.

The CCOC developed this training to meet the requirements of Bill 45-14, which was passed by the County Council on February 3, 2015. The measure was signed into law by the County Executive on February 11, 2015, and took effect January 1, 2016.

It should be noted that failure to complete the training course will not disqualify a board member from continuing to serve. However, if a condominium, HOA or coop board member does not complete the mandatory education, the Commission may take legal action to enforce the training requirement. Also, a Commission dispute resolution panel that is reviewing a dispute between a homeowner and a community association may consider a board member's failure to complete the training in deciding the dispute.

Respectfully Submitted By:

Ayana Moore & Eileen Lynch-Britt

Founding Members

Charles County HOA & Civic Association Alliance