



Charles County Commissioners

REUBEN B. COLLINS, II, ESQ., PRESIDENT

October 13, 2023

The Hon. Arthur Ellis
Maryland State Senator
302 James Senate Office Building
11 Bladen Street, Annapolis MD 21401

The Hon. Edith J. Patterson
Maryland State Delegate
429 House Office Building
6 Bladen Street, Annapolis MD 21401

The Hon. Michael Jackson
Maryland State Senator
3 W. Miller Senate Office Building
Annapolis MD 21401

The Hon. Kevin Harris
Maryland State Delegate
423 House Office Building
6 Bladen Street, Annapolis MD 21401

The Hon. Debra Davis
Maryland State Delegate
204 House Office Building
6 Bladen Street, Annapolis MD 21401

The Hon. C. T. Wilson
Maryland State Delegate
410 House Office Building
6 Bladen Street, Annapolis MD 21401

Re: Charles County Commissioners 2024 Legislative Package

Dear Chairwoman Davis and Members of the Charles County Delegation:

The Charles County Commissioners thank you for your participation in their public hearing to review the preliminary legislative proposals presented on September 13, 2023. The Commissioners held a follow-up work session on September 26, 2023. The attached 2024 Legislative Package contains the proposals the Charles County Commissioners support for consideration by the Charles County Delegation during the 2024 General Assembly Session.

1. A proposal to amend the Alcoholic Beverages Article §18-2501 to prohibit an unlicensed establishment from allowing the consumption of alcohol on their premises. (p.1)

2. A proposal to amend the Transportation Article §25-102 to enable Charles County to pass a local law to regulate off-the-road motorcycles and all-terrain vehicles, that may include impoundment, conditions for release from impoundment, and forfeiture of vehicles operated in violation of Maryland law. (p.4)
3. A proposal to amend §14-402 of the Family Law Article, Ann. Code MD, to change the membership requirement for a psychiatrist on the Charles County Adult Guardianship Review Board. (p.7)
4. A proposal to enable the creation of a local park land dedication ordinance, to require property developers to dedicate land or pay a fee (i.e., "fee-in-lieu"), to be used to support development of recreational facilities. (p.9)
5. A proposal to adopt legislation to legalize golf carts on Cobb Island (re-introduction of S.B.76 from 2022). (p.12)
6. A proposal to amend §3-501 of the Education Article, Ann. Code MD, to change the minimum age requirement to run for Charles County School Board from 21 years old to 18 years old. (p.23)
7. A proposal to require certain training be completed by those individuals appointed or elected to the governing body of a common ownership community. (p.24)

Thank you for your consideration of these legislative proposals on behalf of the Charles County Commissioners.

Very truly yours,
COUNTY COMMISSIONERS OF
CHARLES COUNTY, MARYLAND


Reuben B. Collins, II, Esq.
President

Enclosure: Charles County Commissioners
2024 Legislative Package



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.



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.

Linda Stansbury
Chair
Adult Guardianship Review Board

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, psychologist, or **a physician's assistant or nurse practitioner in the field of psychiatry**

Parkland and Recreation Facilities

Charles County Department of Recreation, Parks and Tourism is proposing Charles County be enabled to create a Parkland Dedication Ordinance to require property developers to dedicate land or pay a fee (i.e., "fee-in-lieu"), to be used to support development of recreational facilities. Currently, Charles County requires developers of major subdivisions to include recreation opportunities within their subdivisions, deeded to the Homeowners' Association. The proposal would enable the County to amend the local subdivision regulations to allow for dedication of land to the County or a fee-in-lieu that may be aggregated and used by the County to develop recreational opportunities to serve the County. The precise required value of the land dedication or fee-in-lieu would be determined in a local law, similar to the Prince George's County Ordinance attached (PGC Sec. 24-4600).

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.

Suggested MD Code Amendment:

Md. Land Use Code Ann. § 9-805

§ 9-805. Subdivision regulations — In general.

(1)(a) Subject to subsections (b) and (c) of this section, the subdivision regulations may provide for the reservation of property for traffic, recreation, or other public purposes.

(b) A reservation of property under subsection (a) of this section may not continue for longer than 3 years without the written approval of all persons with a legal or equitable interest in the property.

(c) The subdivision regulations shall provide for public notice and an opportunity for a public hearing before a property may be reserved.

(2) The subdivision regulations may provide for the dedication of real property for recreation, or in lieu of dedication, the payment of a monetary fee to be used by the County for the purchase, development, and improvement of land for recreational facilities.

****EXAMPLE OF LOCAL LAW******Sec. 24-4600 Parklands and Recreation Facilities****24-4601. Mandatory Dedication of Parkland****(a) Purpose**

The purpose of this Section is to establish standards for new subdivisions including residential uses to provide adequate land to meet the park and recreation needs of the residents of the subdivision.

(b) Applicability**(1) General**

Unless exempted in accordance with Section 24-4601(b)(2) below, all subdivisions which include residential uses shall plat and convey to the M-NCPPC or to a municipality located within the County (but which is not within the Maryland-Washington Metropolitan District) upon the request of such municipality, adequate land to meet the park and recreation needs of the residents of the subdivision, or pay a fee in-lieu, or provide park and recreation facilities as otherwise provided in this Section.

(2) Exemptions

The following are exempted from the standards of this Section:

- (A)** Any lot that was legally created by deed prior to April 24, 1970;
- (B)** Any lot being created by the subdivision of land upon which a dwelling legally exists at the time of subdivision; and
- (C)** Any re-subdivision of land for which land was previously dedicated for park and recreation needs, or a fee in-lieu paid, to the extent that land dedication or fees in-lieu are sufficient to accommodate the residents of the subdivision (if lots are added as part of the resubdivision, land shall be dedicated or an in-lieu fee paid in accordance with this Section to meet the park and recreation needs of the residents of the new lots).

(3) Amount of Park and Recreation Land Required

The amount of land to be dedicated shall be:

- (A)** Five percent of land on which a density of one to four dwelling units per net acre is the maximum density allowed in Subtitle 27: Zoning Ordinance;
- (B)** Seven and one-half percent of land on which a density of four to seven and one-half dwelling units per net acre is permissible;
- (C)** Ten percent of land on which a density of seven and one-half to 12 dwelling units per net acre is permissible; and
- (D)** Fifteen percent of land on which a density exceeding 12 dwelling units per net acre is permissible.

(4) Compliance Alternatives

As an alternative to the dedication of land in accordance with Section 24-4601(b)(3), Amount of Park and Recreation Land Required, above, any of the following, either singly or in combination, shall satisfy the requirements of this Section.

(A) Active and/or Passive Recreation Land

- (i)** The dedication of land identified for preservation as part of a stream valley park on a Functional Master Plan, Area Master Plan, or Sector Plan, with a finding there is reasonable active recreation in the general area, and that any trails shown on the plans are provided and dedicated.
- (ii)** The location of on-site detention and/or retention ponds may be credited toward lands required for dedication, regardless of ownership, if it is determined that such area will provide active or passive recreation because of specific access provisions, recreational facilities, or

visual amenities, and appropriate maintenance agreements have been, or will be, made to ensure compliance with this requirement.

(B) Fees in-Lieu

- (i)** If it is determined that the dedication of park and recreation land is unsuitable or impractical due to size, topography, drainage, physical characteristics, or similar circumstances, the subdivider shall provide a fee in-lieu of dedication in the amount of five percent of the total new market value of the land as stated on the final assessment notice issued by the State Department of Assessments and Taxation.
- (ii)** The in-lieu fee shall be used for the sole purpose of purchasing or improving land to meet the park and recreation needs of, and benefit, the residents of the subdivision.

(C) Recreational Facilities

Recreational facilities may be provided instead of land or in-lieu fees in any Residential zone, provided that a plan for such recreational facilities is approved by the Planning Board after determining that:

- (i)** Such facilities will be equivalent or superior in value, to the land, improvements, or facilities that would have been provided under this Section; and
- (ii)** The facilities will be properly developed and maintained to the benefit of future residents of the subdivision through covenants, a recreational maintenance agreement, or other appropriate means, and that such instrument is legally binding upon the subdivider and the subdivider's heirs, successors, and assigns, and that such instrument is enforceable; and
- (iii)** No permit for construction or occupancy of dwellings shall be issued unless the Planning Board is satisfied that the facilities have been, or will be, provided at the appropriate state of development.

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.

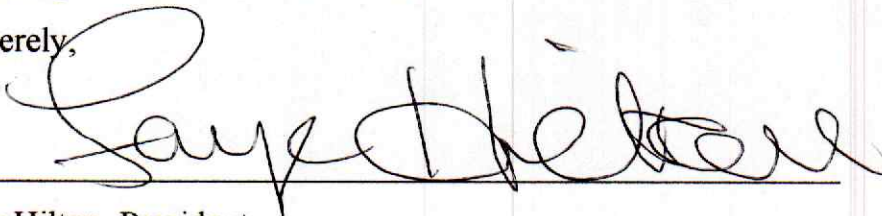
Golf carts are practical and fun. There are over fifty in use on the island. The citizens of Cobb Island, along with the Cobb Island Citizens Association request legislation for safety issues and the ability to report abusers. We feel the island will be a safer place to live and operate golf carts if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

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.



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

2024 Legis Pkg to Delegation

Final Audit Report

2023-10-14

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