

Rochester ordinance:

“H. No person on a sidewalk or alongside a roadway shall solicit from any occupant of a motor vehicle that is on a street or other public place.”

Baton Rouge ordinance:

No person shall be upon or go upon any street or roadway or shall be upon or go upon any shoulder of any street or roadway nor shall any such person be upon or go upon any neutral ground of any street or roadway for the purpose of soliciting employment, business, or charitable contributions of any kind from the occupant of any vehicle.’

Preamble to Baton Rouge ordinance:

WHEREAS, a problem has been identified with persons attempting to solicit rides, employment, business, or charitable contributions from the occupants of moving vehicles on certain city streets; and

WHEREAS, this practice has been identified as being unsafe for both the person engaging in the solicitation and for traffic in general; and

WHEREAS, the activity of soliciting rides, business, employment, or charitable contributions from the occupants of vehicles constitutes an impediment to the normal and safe flow of traffic in the City of Baton Rouge; and

WHEREAS, this activity has in the past resulted in accidents. . . .

Description of specific testimony in support of Baton Rouge ordinance:

James Webb, an expert in traffic engineering, established that the purpose of streets, highways, and roads was to move people and goods both safely and efficiently. He testified that streets, highways, and roads are not designed for the purpose of soliciting funds. He also testified that he could not envision another drafting scheme that would achieve the desired result and eliminate hazardous consequences and traffic problems.

. . . Similarly, we think that restrictions on solicitation are particularly appropriate in the context of assuring the free movement of vehicles and promoting traffic safety on city streets. The Baton Rouge ordinance is narrowly aimed at the disruptive nature of fund solicitation from the occupants of vehicles

Phoenix ordinance:

"No person shall stand on a street or highway and solicit, or attempt to solicit, employment, business or contributions from the occupants of any vehicle." Phoenix City Ordinance § 36-101.01.

Description of testimony in support of Phoenix ordinance:

The orderly flow of motorized traffic is a major concern in congested urban areas, particularly because an obstruction or delay in traffic at one point along a traffic artery results in delays and backups far back down the roadway.

The distraction of motorists occasioned by solicitation not only threatens to impede the orderly flow of traffic, but also raises serious concerns of traffic and public safety.

It is much easier to ignore a billboard or pedestrian along the roadway than an individual standing closely beside your car, peering in the window directly at you, and demanding a personal response from you.

the Phoenix expert did testify that solicitation from motorists creates a potential safety hazard because the consequent distraction of the drivers poses a significant risk to motorist and pedestrian safety. Distracted drivers are more prone to automobile accidents, and evidence was presented that accidents at intersections constitute a substantial traffic safety problem in Phoenix. The introduction of yet another distraction into the traffic system could serve only to exacerbate that problem.

Even if occasional solicitation of motorists by one group could be controlled with a maximum effort on the city's part, Phoenix may appropriately consider the cumulative impact if many other

organizations likewise decided to engage in this activity on a pervasive or regular basis. The multiplied effect of such activity could result in "widespread disorder" in the Phoenix roadway. . .