



TENANT DIRECTIVE

BWI: 601.1
DATE: September 5, 2014
DISTRIBUTION: D

TITLE: PROSELYTIZING ACTIVITIES IN THE BALTIMORE/ WASHINGTON INTERNATIONAL THURGOOD MARSHALL AIRPORT (BWI MARSHALL) PASSENGER TERMINAL

I. REFERENCES:

- A. Annotated Code of Maryland, Criminal Law, Section 6-409.
- B. Code of Maryland Regulations (COMAR) 11.03.01.08B.
- C. This Directive supersedes BWI Tenant Directive 601.1, dated December 15, 2005.

II. DIRECTIVE STATEMENT:

- A. The purpose of this Directive is to supplement the rules and regulations governing the procedures for Proselytizing at Baltimore/Washington International Thurgood Marshall Airport (BWI Marshall). For purposes of this Directive, Proselytize means to induce or recruit someone to convert to one's faith or to join one's party, institution, or cause.
- B. The following procedures are promulgated to ensure the safe, secure, and efficient movement of patrons and employees throughout the BWI Marshall Terminal. These procedures are intended to protect Airport patrons and employees from potential harassment and abuse by Proselytizing persons and organizations, while at the same time recognizing the rights of individuals and organizations to present their views in a public facility.

- C. Proselytizing activities at BWI Marshall may be conducted only inside the Terminal in the locations specified by the Director, Office of Terminal and Landside Operations, BWI Marshall, pursuant to the procedures of this Directive.
- D. Advance written authorization by the Director, Office of Terminal and Landside Operations, BWI Marshall, is required before any Proselytizing activities may be conducted within the Terminal. Persons or organizations authorized to conduct Proselytizing activities in the Terminal must contact the BWI Marshall Landside Operations Center (410-859-7736) the day before each planned and authorized activity for confirmation of an area in which Proselytizing is authorized.
- E. No organization or individual may Proselytize at BWI Marshall for more than 14 days in any given 30-day period. A new written request must be submitted to the Director, Office of Terminal and Landside Operations, BWI Marshall, prior to each 14-day period or portion thereof during which a person or organization desires to engage in the activities regulated herein.
- F. Notwithstanding the provisions of item E above, an individual or organization may obtain approval for an additional consecutive period if, as of the next to last day of the individual's or organization's permit period, no other individual or organization has obtained a permit for that period. An individual or organization wishing to succeed itself shall forward a letter of request to reach the Director, Office of Terminal and Landside Operations, BWI Marshall, not later than 4:30 p.m. on the 12th day of an active permit.
- G. The BWI Marshall Landside Operations Center is responsible for the scheduling and monitoring of Proselytizing activity in the Terminal and will enforce all rules in accordance with this Directive.

III. PROCEDURES:

- A. BWI Marshall is not a public forum for First Amendment activities. Certain activities are incompatible with the transportation uses of BWI Marshall. Unfettered use of BWI Marshall to Proselytize would prevent the intended use of the Airport as a transportation center and potentially endanger the health and safety of passengers, other patrons and employees using BWI Marshall. Moreover, such activities would impede and cause unreasonable hazards during the construction activities anticipated at BWI Marshall. The use of BWI Marshall for the purpose of exercising rights of free expression and communication to Proselytize will not be permitted to restrict or impair the transportation function of BWI Marshall. Organizations who may request a permit at BWI Marshall to

Proselytize will be given consideration regarding their request on a case-by-case basis. Decisions on whether or not to grant any such request will be based, in part, on the availability of designated locations for such activities during the period of request, as well as other factors enunciated herein.

- B. The Maryland Aviation Administration (Administration) has determined that only certain designated areas of the Airport provide a reasonable opportunity for Proselytizing while not preventing the use of the Airport for its intended purpose of providing safe, orderly, and efficient flow of pedestrian and vehicle traffic and air transportation. The Director, Office of Terminal and Landside Operations, BWI Marshall, maintains a chart designating those areas where Proselytizing does not prevent the use of BWI Marshall for its intended purpose. In recognition of the importance of the right of the public to the exercise of free expression where it is not incompatible with the use of the Airport facilities for their intended purpose, the Director, Office of Terminal and Landside Operations, BWI Marshall, will strive to maintain a minimum of three (3) areas in the interior of the non-Secured Areas of the Terminal for Proselytizing. Where necessary to preserve the use of the Airport by the public for transportation purposes, the Director, Office of Terminal and Landside Operations, BWI Marshall, may reduce the number or size of or change the location of designated areas from time to time to take into account changes in pedestrian or vehicle flow, construction, alterations to the Terminal and their surroundings, emergency conditions, or other unforeseen circumstances which may necessitate a change. Notwithstanding the above, the following areas do not provide a reasonable opportunity for Proselytizing without preventing the use of the Airport for its intended purpose of providing a safe, orderly and efficient flow of pedestrian traffic and are areas where Proselytizing is prohibited:

1. Air Operations Areas, Secured Areas and Sterile Areas;
2. Roadways and thoroughfares for vehicles;
3. Within 10 feet of any access point to any place of business of any tenant, lessee or permittee of the Administration;
4. Roadway curbsides or curbs at which passengers load or unload from vehicles, motor vehicles or commercial vehicles and staging areas for Ground Transportation vehicles and designated bus stops;
5. Areas leased or assigned by agreement with the Administration for use by vendors or other lessees, permittees or licensees of the Administration;

6. Within 10 feet of any security screening point, terminal entrance vestibules, doorways or other interior or exterior entrances, access gates, escalators, elevators, stairways, moving walkways, baggage conveyance bins or equipment, or baggage cart dispensing units;
 7. Within 10 feet of any kiosk, queue and stanchions;
 8. Within 50 feet of any construction site or construction equipment except in those areas designated by the Director, Office of Terminal and Landside Operations, BWI Marshall, around construction work gates;
 9. Within construction areas;
 10. Inside Airport restrooms or within 10 feet of any access to an Airport restroom;
 11. The Meditation Room;
 12. The Observation Gallery;
 13. The baggage claim areas of BWI Marshall;
 14. The airline ticket counter areas of BWI Marshall; and
 15. Any other areas that may be designated by the Director, Office of Terminal and Landside Operations, BWI Marshall, from time to time as necessary to maintain the safety and efficiency of Airport operations.
- C. No person shall Proselytize or otherwise attempt to communicate their views to other users of the Airport without first delivering a written request to the Director, Office of Terminal and Landside Operations, BWI Marshall, of their intent to do so at least seven (7) days prior thereto. Such written request shall be required in order that adequate precautions may be taken by the Director, Office of Terminal and Landside Operations, BWI Marshall, to protect the public health, security, safety and order to assure efficient and orderly use of Airport for its primary purpose and to assure equal opportunity for freedom of expression. The written request shall state:
1. The full name, mailing address and telephone number of the person delivering the written notice, or if he or she is a member of an

organization which is sponsoring, conducting or promoting the activity, the full name, mailing address and telephone number of the organization, and the full name, mailing address and telephone number of a responsible officer or agent thereof;

2. A description of the proposed activity stating the type of communication to be involved. The request shall indicate whether the organization is a benevolent, religious, or political organization;
 3. The date, hour, location and anticipated duration of such activity;
 4. The number of persons planning to participate in such activity; and
 5. A statement or evidence that the person sponsoring, conducting or promoting the proposed activity is one that is charitable, religious or political in nature or whose purpose for the proposed activity is not for the deriving or making of profit from the sale or exchange of goods or services.
- D. The Director, Office of Terminal and Landside Operations, BWI Marshall, shall review the request for sufficiency of information and shall meet with an authorized representative of the organization requesting to Proselytize to discuss specific procedures for the conduct of the activity at BWI Marshall. The Commander, Airport Division, Maryland Transportation Authority Police or his designee and directors and/or managers of other pertinent Maryland Aviation Administration offices or divisions such as Airport Security, Airport Operations, and Terminal and Landside Operations as necessary may also attend the meeting. Following the meeting, the Director, Office of Terminal and Landside Operations, BWI Marshall, shall issue the requested permit or notify the applicant in writing why issuance of a permit is denied. A permit shall not be granted or denied based upon the content of any non-Commercial message. In the event that more than one person or organization submits a request to Proselytize, the Director, Office of Terminal and Landside Operations, BWI Marshall, will review those requests on a first-come first-served basis and grant or deny permits in that order.
- E. The permit issued will designate the time, location and manner that the holder is eligible to conduct activities at BWI Marshall. Proselytizing activity shall only be conducted between the hours of 8 a.m. and 5 p.m. The permit will also identify the number of persons permitted to Proselytize at the location. No more than the agreed number of persons Proselytizing is permitted.

- F. During all Proselytizing activities, a spokesperson/responsible representative will be designated by the Proselytizing group and will be present at the Proselytizing site. This individual's name and location will be given to the Landside Operations Center (telephone 410-859-7736) at the start of Proselytizing each day. The spokesperson will also advise the Landside Operations Center daily when the Proselytizing has ceased.
- G. Individuals and organizations engaged in Proselytizing shall not:
1. Intentionally touch, grab, restrain, or in any way intimidate any person;
 2. Repeatedly attempt to give literature to any person who has indicated that such person does not wish to accept the literature;
 3. Follow, pursue or call out to any person passing by who does not freely take any literature offered;
 4. Interfere with the public's unimpeded and free access to any free-standing concession counter or area;
 5. Disrupt or interfere with the free and orderly flow of pedestrian or vehicular traffic;
 6. Use any noise making device or amplification device capable of amplifying the human voice;
 7. In any manner indicate to the public that he or she is an official of the State of Maryland, the Maryland Aviation Administration, or in any manner misrepresent to the public the true identity of the organization he or she represents;
 8. In any way contend, imply, or lead Airport patrons to believe that the individual's or organization's views represent or are endorsed by the Maryland Aviation Administration, its tenants, or the State of Maryland;
 9. Attach any sign, circular, or other written material to any wall, booth, post, counter, or other surface;
 10. Leave unattended at BWI Marshall, discard, or abandon bags, boxes, or other containers of literature, food, or other items (except in BWI Marshall trash receptacles);

11. Distribute any items of food or drink;
 12. Conduct such activities in or on roadways or vehicle access lanes;
 13. Wear or carry a sign or placard; or
 14. Engage in speech or solicitation in any area not permitted by these rules.
- H. Persons under the influence of intoxicants will not be permitted to Proselytize.
- I. No more than three (3) people are permitted to Proselytize at any location at one time. In the event there is not space available, the Director, Office of Terminal and Landside Operations, BWI Marshall, may further restrict the number of persons.
- J. No products or goods may be sold in the Terminal unless a written contract with the Maryland Aviation Administration authorizing such commercial activity has been executed. However, Proselytizing representatives may offer for sale books, pamphlets, newspapers, and other literature related to, or concerning their organization or group, without such a written contract, if the organization or group has otherwise received approval from the Director, Office of Terminal and Landside Operations, BWI Marshall, to conduct Proselytizing activity. Such Proselytizing activities that include the receipt of money as donation or payment for literature, other materials, or solicitation of signatures or written response from Airport patrons may be conducted solely from one location, which shall be determined by the Director, Office of Terminal and Landside Operations, BWI Marshall. This location shall be configured with a table provided by the Proselytizing entity, not to exceed six feet in length. The table shall not impede or obstruct passenger and/or operational activities.
- K. Each person Proselytizing shall obey all Administration Rules and Regulations along with all applicable state and federal laws.

- L. Proselytizing representatives may not engage in dancing, chanting, or use any musical or other noise-producing instrument, object or sound or voice amplification apparatus, or speak in loud or boisterous language or tones or engage in any other activity which could be disruptive to normal Terminal activity.
- M. Identification badges of a permanent material or plastic encased, pin type must be worn by Proselytizing representatives at all times while Proselytizing activities are being conducted. Such badges shall be at least 3" x 5" in size, contain the name of the represented organization and representative in boldface print, and be worn in a conspicuous manner on the upper front of the representative's outermost garment.
- N. All Proselytizing locations shall be configured with a table provided by the Proselytizing entity. The table shall not exceed six feet in length and shall not impede or obstruct passenger and/or operational activities. Signs may be affixed to the table. Signs shall be neatly drawn, painted or printed, and be in keeping with the signs and decor of the Airport. Handwritten signs are not permitted in the Terminal. Individuals engaged in Proselytizing are restricted from carrying or displaying signs on their person. Signs of any organization Proselytizing in the Terminal for more than 14 days in any given 30-day period must comply with Tenant Directive 007.1, "Building and Installation Permits at Baltimore/Washington International Thurgood Marshall Airport," concerning all signs.
- O. Violation of the above procedures may result in withdrawal of an authorization to Proselytize at BWI Marshall.

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John A. Stewart
Director
Office of Airport Operations