



TENANT DIRECTIVE

Tenant Directive No.: BWI 602.1

Distribution List: D

Effective Date: April 26, 2023

Original Date: September 5, 2014

Revised: April 26, 2023

Approved by: *Suegy W. Sohl*
Director, Office of Airport Operations

Date: 4/26/23

PICKETING AND DEMONSTRATING AT BALTIMORE/WASHINGTON INTERNATIONAL THURGOOD MARSHALL (BWI MARSHALL) AIRPORT

Purpose

The purpose of this Directive is to supplement the rules and regulations governing the procedures for Picketing and Demonstrating at BWI Marshall Airport.

Reference(s)

- A. Annotated Code of Maryland, Criminal Law, Section 6-409.
- B. Code of Maryland Regulations (COMAR) 11.03.01.08F, Picketing and Demonstrations.

Scope

This Tenant Directive is applicable to all individuals and organizations at BWI Marshall Airport.

This Directive supersedes BWI Tenant Directive 602.1, dated September 5, 2014.

Definitions

See page 5.

Responsible Party:

Manager, Office of Customer Experience
Division of Marketing and Air Service Development
410-859-7212

DIRECTIVE

I. Directive Statement

- A. Employees of tenants and contractors located within the Terminal Building may, subject to prior authorization by the Director, Office of Customer Experience, BWI Marshall Airport, be permitted to Picket and Demonstrate only as provided herein.
- B. Employees of tenants and contractors working on BWI Marshall Airport premises and not located within the Terminal Building may, subject to prior authorization by the Director, Office of Customer Experience, BWI Marshall Airport, be authorized to Picket and Demonstrate in the vicinity of the actual job site. In no case, however, will such Picketing and Demonstrating be within an airport security area. Security areas are defined as those areas contained by airport security fencing or security areas controlled by BWI Marshall Airport or its tenants in accordance with 49 CFR 1542.
- C. BWI Marshall Airport is not a public forum for First Amendment activities. Certain activities are incompatible with the transportation uses of BWI Marshall Airport. Unfettered use of BWI Marshall Airport to Picket and Demonstrate would prevent the intended use of BWI Marshall Airport as a transportation center and potentially endanger the health and safety of passengers, patrons, and employees using BWI Marshall Airport. Moreover, such activities would impede and cause unreasonable hazards during the anticipated construction activities at BWI Marshall Airport. The use of BWI Marshall Airport for the purpose of exercising rights of free expression and communication to Picket and Demonstrate will not be permitted to restrict or impair the transportation function of BWI Marshall Airport. Organizations who may request a permit at BWI Marshall Airport to Picket and Demonstrate will be given consideration regarding their request on a case-by-case basis. Decisions on whether 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 articulated herein.
- D. The Maryland Aviation Administration (MAA) has determined that only certain designated areas of the Airport provide a reasonable opportunity for Picketing and Demonstrating while not preventing the use of BWI Marshall Airport for its intended purpose of providing safe, orderly, and efficient flow of pedestrian and vehicle traffic and air transportation. 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 BWI Marshall Airport facilities for their intended purpose, the Director, Office of Customer Experience, BWI Marshall Airport, will strive to maintain a minimum of two (2) areas in the exterior of the non-secured areas of the Terminal for Picketing and Demonstrating. Where necessary to preserve the use of BWI Marshall Airport by the public for transportation purposes, the Director, Office of Customer Experience, BWI Marshall Airport, 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 Picketing and Demonstrating without preventing the use of BWI Marshall Airport for its intended purpose of providing a safe, orderly, and efficient flow of pedestrian traffic and are areas where Picketing and Demonstrating 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 MAA;
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 MAA for use by vendors or other lessees, permittees, or licensees of the MAA;
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 or curbside baggage check-in counter queue and stanchions;
8. Within 50 feet of any construction site or construction equipment except in those areas designated by the Director, Office of Customer Experience, BWI Marshall Airport, around construction work gates;
9. Within construction areas;
10. Inside BWI Marshall Airport restrooms or within 10 feet of any access to a BWI Marshall Airport restroom;
11. The Meditation Room;
12. The Observation Gallery;
13. The baggage claim areas of BWI Marshall Airport;
14. The airline ticket counter areas of BWI Marshall Airport; and
15. Any other areas that may be designated by the Director, Office of Customer Experience, BWI Marshall Airport, from time to time as necessary to maintain the safety and efficiency of BWI Marshall Airport operations.

- E. Individuals and organizations engaged in Picketing and Demonstrating shall not:
1. Intentionally touch, grab, restrain, or intimidate any person in any way;
 2. Follow, pursue, or call out to any person passing by the Picketing and Demonstrating area;
 3. Interfere with the public's unimpeded and free access to any free-standing concession counter or area;
 4. Disrupt or interfere with the free and orderly flow of pedestrian or vehicular traffic;
 5. Use any noise making device or any device capable of amplifying the human voice;
 6. Indicate to the public in any manner that they are an official of the State of Maryland, the MAA, or misrepresent to the public in any manner the true identity of the organization they represent;
 7. In any way contend, imply, or lead BWI Marshall Airport patrons to believe that the individual's or organization's views represent or are endorsed by the MAA, its tenants, or the State of Maryland;
 8. Erect any racks, tables, or other means of displaying printed materials or other items or place any chairs, boxes, or other obstructions in the public areas;
 9. Attach any sign, circular, or other written material to any wall, booth, post, counter, or other surface;
 10. Leave unattended, discard, or abandon bags, boxes, or other containers of literature, food, or items (except in BWI Marshall Airport trash receptacles);
 11. Distribute any items of food or drink;
 12. Conduct such activities in or on roadways or vehicle access lanes;
 13. Engage in speech or solicitation in any area not permitted by these rules; or
 14. Receive or accept any immediate payment or donation of money from any person.
- F. Persons under the influence of intoxicants will not be permitted to Picket and Demonstrate.
- G. Private vehicles belonging to individuals Picketing and Demonstrating will not be permitted to park in the vicinity of the Picket and Demonstration area.

- H. If signs are carried, they must be carried by means of string or cord to the individual. Such signs will not be fastened or "propped" against adjacent structures or vehicles. Signs mounted on wooden, plastic, or metal frames or supported by a wooden, plastic, or metal stick will not be permitted.
- I. The picket line must keep moving; that is, individuals permitted in a particular area must circulate or walk within that area. The picket line must not interfere with the free movement of pedestrians or aircraft and vehicular traffic, nor block any roadway, gate, crosswalk, or entrance anywhere at BWI Marshall Airport.
- J. Members of the Picketing or Demonstrating group not on the active picket lines or demonstrating are not permitted to congregate in the vicinity of the line or demonstration.
- K. No organization shall have more than **35** individuals engaged in Picketing and Demonstrating at any Picketing and Demonstrating location at BWI Marshall Airport at any one time. In the event there is not space available, the Director, Office of Customer Experience, BWI Marshall Airport, may further restrict the number of individuals.
- L. Each person Picketing and Demonstrating shall obey all MAA Rules and Regulations along with all applicable State and federal laws.
- M. Violation of the above procedures may result in withdrawal of an authorization to Picket and Demonstrate at BWI Marshall Airport.

II. Definitions

For purposes of this Tenant Directive, the following words have the following meanings:

Picketing and Demonstrating means one or more individuals marching or stationing themselves in an area in order to communicate their position on a political, charitable, or religious issue, or a labor dispute by displaying one or more signs, posters, or similar devices and includes rallies.

III. Procedures

- A. No individual shall Picket or Demonstrate or otherwise attempt to communicate their views to other users of BWI Marshall Airport without **first delivering a written request to the Director, Office of Customer Experience, BWI Marshall Airport, of their intent to do so at least twenty-one (21) days prior**. Such written request shall be required in order that adequate precautions may be taken by the Director, Office of Customer Experience, BWI Marshall Airport, to protect the public health, security, safety, and order to assure efficient and orderly use of BWI Marshall 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 individual 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;
 2. A description of the proposed activity stating the type of communication to be involved and the size and volume of the items to be handed out for the activity;
 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.
- B. The Director, Office of Customer Experience, BWI Marshall Airport, shall review the request for sufficiency of information and shall meet with an authorized representative of the organization requesting to Picket and Demonstrate to discuss specific procedures for the conduct of the activity at BWI Marshall Airport. The Commander, Airport Division, Maryland Transportation Authority Police or his designee and directors or managers of other pertinent MAA offices may also attend the meeting. Following the meeting, the Director, Office of Customer Experience, BWI Marshall Airport, shall issue the requested permit or notify the applicant in writing why the request for a permit is denied. A permit shall not be granted or denied based upon the content of any non-commercial message. If more than one individual or organization submits a request to Picket and Demonstrate, the Director, Office of Customer Experience, BWI Marshall Airport, will review those requests on a first-come first-served basis and grant or deny permits in that order.
- C. The permit issued will designate the time, location, and manner that the holder is eligible to conduct activities at BWI Marshall Airport. The permit will also identify the number of individuals permitted to Picket and Demonstrate at the location. **No more than the agreed number of individuals Picketing and Demonstrating is permitted.**
- D. During all Picketing and Demonstrating activities, a spokesperson will be designated by the Picketing and Demonstrating group and will be present at the Picketing and Demonstrating site. This individual's name and location will be given to both the Office of Customer Experience (telephone 410-859-5683) and the Airport Operations Center (telephone 410-859-7018) at the start of the Picketing and Demonstrating day. The spokesperson will also advise the Airport Operations Center daily when the Picketing and Demonstrating has ceased.
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ADDITIONAL INFORMATION

Contact Information:

Office of Customer Experience
410-859-5683