

education". See also § 26-101 of the Education Article for additional prohibitions on disturbances at institutions of elementary, secondary, or higher education.

Both the definition of "public conveyance" and "public place" include the phrase "or a portion of the public". This phrase is intended to include in these definitions those conveyances and places where there is an admission charge, a membership fee, or some other sort of restriction that serves to limit the class of persons who are entitled to entry. For example, movie theaters (admission charge), country clubs (membership fee), and school buses (access limited to school children) would be public places or public conveyances.

Subsection (b)(1) of this section is based on current provisions in Art. 27, §§ 121 and 122. Subsection (b)(2) is based on Art. 27, § 123.

Subsection (b)(3) of this section is intended to codify the common law on failure to obey the lawful order of a police officer. See, e.g., *McIntyre v. State*, 1 Md. App. 586, 232 A.2d 279 (1968); *Bachelor v. State*, 3 Md. App. 626, 240 A.2d 623 (1968). No substantive changes are intended.

Subsection (b)(4) of this section is based on Art. 27, § 124. The provisions concerning beaches, currently applicable only in Worcester County, have been broadened to apply statewide.

Subsection (b)(5)(i) of this section is based on current law in Art. 27, §§ 121 and 122. It prohibits a person by unreasonably loud noise from disturbing the peace of another on the other's land or premises. The phrase "unreasonably loud noise" is taken from the case of *Eanes v. State*, 318 Md. 436, 569 A.2d 604 (1990), interpreting the phrase "loud and unseemly noise" in current Art. 27, §§ 121 and 122. This prohibition is intended to cover a person who is making unreasonably loud noise from another location, and is disturbing the peace of others in their homes or property on another location. For instance, it is intended to prevent the tenant in one apartment from playing a stereo so loudly as to disturb persons in other adjacent or nearby apartments. This prohibition is not intended to prohibit a person who resides on a premises from disturbing the peace of another resident of the same premises. The provisions of subsection (b)(4)(i) of this section cover a person who does not have a possessory interest in land or a premises, but enters the land or premises and uses unreasonably loud noise or acts in a disorderly manner.

Subsection (b)(6) of this section is current law derived without substantive change from Art. 27, § 124. No changes are intended.

[125.] 122.

Any person who shall keep a disorderly house shall on conviction thereof be subject to a fine of not less than fifty dollars nor more than three hundred dollars, or to imprisonment in jail for not less than ten days nor more than six months, or to both fine and imprisonment.