R1 0lr1334 CF 0lr1335

By: Delegates Arentz, Ghrist, and Jacobs

Introduced and read first time: January 30, 2020 Assigned to: Environment and Transportation

A BILL ENTITLED

- 1 AN ACT concerning
- 2 Use of State or Local Highways Prohibition or Restriction by Local Authority
- 3 FOR the purpose of authorizing a local authority, by resolution, to prohibit, or restrict in a 4 certain manner, the operation of vehicles on certain highways if the local authority 5 makes a certain determination; authorizing a local authority to use certain devices 6 or strategies in imposing a prohibition or restriction on highway use; requiring a 7 local authority to place and maintain certain signage if the local authority imposes 8 a prohibition or restriction on highway use; providing that a prohibition or restriction 9 on highway use is not in effect unless the required signage is posted; prohibiting a person from driving a vehicle on a highway in violation of a prohibition or restriction 10 11 on highway use imposed under this Act; and generally relating to prohibitions or 12 restrictions on the use of State or local highways imposed by a local authority.
- 13 BY repealing and reenacting, with amendments,
- 14 Article Transportation
- 15 Section 8–646(a)
- 16 Annotated Code of Maryland
- 17 (2015 Replacement Volume and 2019 Supplement)
- 18 BY adding to
- 19 Article Transportation
- 20 Section 24–204.1
- 21 Annotated Code of Maryland
- 22 (2012 Replacement Volume and 2019 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
- 26 8-646.

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1 2 3	(a) Except as permitted by this section OR BY A LOCAL AUTHORITY UNDER § 24–204.1 OF THIS ARTICLE, or in accordance with a permit obtained from the Administration, a person may not:
4	(1) Make an opening in any State highway;
5	(2) Place any structure on any State highway;
6	(3) Change or renew any structure placed on any State highway;
7 8	(4) Dig up any State highway for any purpose, including the placement of pipes, sewers, poles, wires, or rails;
9	(5) Plant or remove any tree on any State highway; or
10	(6) Place any obstruction or improvement on any State highway.
11	24-204.1.
12 13 14 15 16	(A) IF A LOCAL AUTHORITY DETERMINES THAT A STATE HIGHWAY LOCATED WITHIN ITS JURISDICTION OR A LOCAL HIGHWAY UNDER ITS JURISDICTION IS CONGESTED TO THE POINT THAT LOCAL TRAFFIC AND EMERGENCY VEHICLES ARE UNABLE TO EFFECTIVELY NAVIGATE THE AREA'S HIGHWAY NETWORK, THE LOCAL AUTHORITY, BY A RESOLUTION ADOPTED BY ITS GOVERNING BODY, MAY:
17 18	(1) PROHIBIT THE OPERATION OF VEHICLES ON THE STATE OF LOCAL HIGHWAY; OR
19 20	(2) RESTRICT THE OPERATION OF VEHICLES ON THE STATE OF LOCAL HIGHWAY TO LOCAL TRAFFIC ONLY.
21 22	(B) IN IMPOSING A HIGHWAY PROHIBITION OR RESTRICTION UNDER THIS SECTION, A LOCAL AUTHORITY MAY USE:
23	(1) SIGNS;
24	(2) HIGHWAY BARRIERS;
25	(3) LAW ENFORCEMENT PRESENCE OR CHECKPOINTS; OR
26 27	(4) ANY OTHER DEVICES OR STRATEGIES THE LOCAL AUTHORITY DETERMINES ARE SAFE AND EFFECTIVE.

(C) (1) IF A LOCAL AUTHORITY IMPOSES A PROHIBITION OR

- 1 RESTRICTION UNDER THIS SECTION, THE LOCAL AUTHORITY SHALL PLACE AND
- 2 MAINTAIN SIGNS AT EACH END OF THAT PART OF THE HIGHWAY AFFECTED BY THE
- 3 PROHIBITION OR RESTRICTION.
- 4 (2) THE SIGNS SHALL STATE THE PROHIBITION OR RESTRICTION 5 THAT IS IMPOSED ON THE USE OF THE HIGHWAY.
- 6 (3) A PROHIBITION OR RESTRICTION ADOPTED UNDER THIS SECTION 7 IS NOT IN EFFECT UNLESS THE REQUIRED SIGNS ARE POSTED.
- 8 (D) A PERSON MAY NOT DRIVE A VEHICLE ON A HIGHWAY IN VIOLATION OF 9 A PROHIBITION OR RESTRICTION IMPOSED UNDER THIS SECTION.
- SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2020.