

HOUSE BILL 404

R5

2lr0452

By: **Delegates Lehman, Guyton, Henson, R. Lewis, Moon, Palakovich Carr, Proctor, Ruth, and Stewart**

Introduced and read first time: January 19, 2022

Assigned to: Environment and Transportation

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 7, 2022

CHAPTER _____

1 AN ACT concerning

2 **Vehicle Laws – Speed Limits – Establishment**

3 FOR the purpose of ~~expanding to apply statewide the authorization for~~ authorizing local
4 authorities ~~in Montgomery County~~ statewide to decrease the maximum speed limit
5 to not less than a certain speed after performing a certain investigation, subject to
6 certain restrictions on the use of speed monitoring systems; and generally relating
7 to the establishment of speed limits on highways.

8 BY repealing and reenacting, with amendments,
9 Article – Transportation
10 Section 21–803
11 Annotated Code of Maryland
12 (2020 Replacement Volume and 2021 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
14 That the Laws of Maryland read as follows:

15 **Article – Transportation**

16 21–803.

17 (a) (1) Except as provided in paragraphs (3) and (4) of this subsection, if, on
18 the basis of an engineering and traffic investigation, a local authority determines that any
19 maximum speed limit specified in this subtitle is greater or less than reasonable or safe

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



under existing conditions on any part of a highway in its jurisdiction, it may establish a reasonable and safe maximum speed limit for that part of the highway, which may:

(i) Decrease the limit at an intersection;

(ii) Increase the limit in an urban district to not more than 50 miles per hour; **OR**

(iii) Decrease the limit in an urban district; ~~or~~

~~(iv) Decrease the limit outside an urban district to not less than 25 miles per hour.~~

(2) An engineering and traffic investigation is not required to conform a posted maximum speed limit in effect on December 31, 1974, to a different limit specified in § 21-801.1(b) of this subtitle.

(3) Calvert County may decrease the maximum speed limit to not less than 15 miles per hour on Lore Road and, except for Solomons Island Road, each highway south of Lore Road without performing an engineering and traffic investigation, regardless of whether the highway is inside an urban district.

(4) (i) [This paragraph applies only to:

1. Montgomery County; and

2. Municipalities located in Montgomery County.

(ii)] A local authority may decrease the maximum speed limit to not less than 15 miles per hour on a highway only after performing an engineering and traffic investigation.

[(iii)] **(II)** A local authority may not implement a new speed monitoring system to enforce speed limits on any portion of a highway for which the speed limit has been decreased **TO LESS THAN 25 MILES PER HOUR** under this paragraph.

(b) In school zones designated and posted by the local authorities of any county:

(1) The county may decrease the maximum speed limit to 15 miles per hour during school hours, provided the county pays the cost of placing and maintaining the necessary signs; and

(2) Any municipality within each county may decrease the maximum speed limit in a school zone within the municipality to 15 miles per hour during school hours, provided the municipality pays the cost of placing and maintaining the necessary signs.

(c) An altered maximum speed limit established under this section is effective when posted on appropriate signs giving notice of the limit.

(d) Except in Baltimore City, any alteration by a local authority of a maximum speed limit on a part or extension of a State highway is not effective until it is approved by the State Highway Administration.

(e) (1) If a local authority determines that any maximum speed limit specified in this subtitle is greater than reasonable or safe in an alley in its jurisdiction, the local authority may establish a reasonable and safe maximum speed limit for the alley.

(2) The local authority shall post a speed limit established under this subsection on appropriate signs giving notice of the speed limit.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2022.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.