

HOUSE BILL 94

R5
HB 404/22 – ENT

(PRE-FILED)

3lr0443
CF 3lr1401

By: **Delegates Lehman, Foley, Palakovich Carr, and Terrasa**

Requested: September 22, 2022

Introduced and read first time: January 11, 2023

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws – Reduction of Speed Limits by Local Authorities**

3 FOR the purpose of authorizing local authorities statewide to decrease the maximum speed
4 limit to not less than a certain speed after performing a certain investigation;
5 establishing certain restrictions on the use of speed monitoring systems along
6 highways for which the speed limit has been decreased; and generally relating to the
7 decreases 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 2022 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) through (5) of this subsection, if,
18 on the basis of an engineering and traffic investigation, a local authority determines that
19 any maximum speed limit specified in this subtitle is greater or less than reasonable or
20 safe under existing conditions on any part of a highway in its jurisdiction, it may establish
21 a reasonable and safe maximum speed limit for that part of the highway, which may:

22 (i) Decrease the limit at an intersection;

23 (ii) Increase the limit in an urban district to not more than 50 miles

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 per hour; **OR**

2 (iii) Decrease the limit [in an urban district] **TO NOT LESS THAN 15**
3 **MILES PER HOUR**]; or

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

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

9 (3) Calvert County may decrease the maximum speed limit to not less than
10 15 miles per hour on Lore Road and, except for Solomons Island Road, each highway south
11 of Lore Road without performing an engineering and traffic investigation[, regardless of
12 whether the highway is inside an urban district].

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

14 1. Montgomery County; and

15 2. Municipalities located in Montgomery County.

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

19 (iii)] A local authority may not implement a new speed monitoring
20 system to enforce speed limits on any portion of a highway for which the speed limit has
21 been decreased **TO LESS THAN 25 MILES PER HOUR** under [this] paragraph **(1)(III) OF**
22 **THIS SUBSECTION**.

23 (5) Baltimore City may, without performing an engineering and traffic
24 investigation:

25 (i) Decrease the maximum speed limit on a highway under its
26 jurisdiction; or

27 (ii) Increase to a previously established level the maximum speed
28 limit on a highway under its jurisdiction.

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

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

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

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

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

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

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

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 October 1, 2023.