

HOUSE BILL 688

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
10 person from driving a vehicle on a highway in violation of a prohibition or restriction
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.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(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:

(1) Make an opening in any State highway;

(2) Place any structure on any State highway;

(3) Change or renew any structure placed on any State highway;

(4) Dig up any State highway for any purpose, including the placement of pipes, sewers, poles, wires, or rails;

(5) Plant or remove any tree on any State highway; or

(6) Place any obstruction or improvement on any State highway.

24-204.1.

(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:

(1) PROHIBIT THE OPERATION OF VEHICLES ON THE STATE OR LOCAL HIGHWAY; OR

(2) RESTRICT THE OPERATION OF VEHICLES ON THE STATE OR LOCAL HIGHWAY TO LOCAL TRAFFIC ONLY.

(B) IN IMPOSING A HIGHWAY PROHIBITION OR RESTRICTION UNDER THIS SECTION, A LOCAL AUTHORITY MAY USE:

(1) SIGNS;

(2) HIGHWAY BARRIERS;

(3) LAW ENFORCEMENT PRESENCE OR CHECKPOINTS; OR

(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.

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
11 1, 2020.