

HOUSE BILL 434

R5

(2lr2196)

ENROLLED BILL

— *Environment and Transportation/Judicial Proceedings* —

Introduced by **Delegate Wells**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Motor Vehicles – Speed Limits – Establishment and Enforcement**

3 FOR the purpose of authorizing Baltimore City to decrease or raise to a previously
4 established level the maximum speed limit on a highway under its jurisdiction
5 without performing an engineering and traffic investigation; prohibiting a local
6 jurisdiction from ~~implementing a new~~ *using a* speed monitoring system to enforce
7 speed limits on certain highways; and generally relating to the establishment and
8 enforcement of speed limits on highways.

9 BY repealing and reenacting, with amendments,
10 Article – Transportation
11 Section 21–803
12 Annotated Code of Maryland
13 (2020 Replacement Volume and 2021 Supplement)

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.

Italics indicate opposite chamber/conference committee amendments.



1 BY repealing and reenacting, without amendments,
2 Article – Transportation
3 Section 21–809(b)(1)(vi)
4 Annotated Code of Maryland
5 (2020 Replacement Volume and 2021 Supplement)

6 BY adding to
7 Article – Transportation
8 Section 21–809(b)(1)(xi)
9 Annotated Code of Maryland
10 (2020 Replacement Volume and 2021 Supplement)

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

13 **Article – Transportation**

14 21–803.

15 (a) (1) Except as provided in paragraphs (3) [and (4)] **THROUGH (5)** of this
16 subsection, if, on the basis of an engineering and traffic investigation, a local authority
17 determines that any maximum speed limit specified in this subtitle is greater or less than
18 reasonable or safe under existing conditions on any part of a highway in its jurisdiction, it
19 may establish a reasonable and safe maximum speed limit for that part of the highway,
20 which may:

21 (i) Decrease the limit at an intersection;

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

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

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

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

30 (3) Calvert County may decrease the maximum speed limit to not less than
31 15 miles per hour on Lore Road and, except for Solomons Island Road, each highway south
32 of Lore Road without performing an engineering and traffic investigation, regardless of
33 whether the highway is inside an urban district.

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

- 1 1. Montgomery County; and
- 2 2. Municipalities located in Montgomery County.

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

6 (iii) A local authority may not implement a new speed monitoring
 7 system to enforce speed limits on any portion of a highway for which the speed limit has
 8 been decreased under this paragraph.

9 **(5) BALTIMORE CITY ~~MAY DECREASE OR RAISE TO A PREVIOUSLY~~**
 10 **~~ESTABLISHED LEVEL THE MAXIMUM SPEED LIMIT ON A HIGHWAY UNDER ITS~~**
 11 **~~JURISDICTION WITHOUT PERFORMING AN ENGINEERING AND TRAFFIC~~**
 12 **~~INVESTIGATION~~ MAY, WITHOUT PERFORMING AN ENGINEERING AND TRAFFIC**
 13 **INVESTIGATION:**

14 **(I) DECREASE THE MAXIMUM SPEED LIMIT ON A HIGHWAY**
 15 **UNDER ITS JURISDICTION; OR**

16 **(II) INCREASE TO A PREVIOUSLY ESTABLISHED LEVEL THE**
 17 **MAXIMUM SPEED LIMIT ON A HIGHWAY UNDER ITS JURISDICTION.**

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

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

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

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

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

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

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

3 21–809.

4 (b) (1) (vi) This section applies to a violation of this subtitle recorded by a
5 speed monitoring system that meets the requirements of this subsection and has been
6 placed:

7 1. In Montgomery County or Prince George’s County, on a
8 highway in a residential district, as defined in § 21–101 of this title, with a maximum posted
9 speed limit of 35 miles per hour, which speed limit was established using generally accepted
10 traffic engineering practices;

11 2. In a school zone with a posted speed limit of at least 20
12 miles per hour;

13 3. In Prince George’s County:

14 A. Subject to subparagraph (vii)¹ of this paragraph, on
15 Maryland Route 210 (Indian Head Highway); or

16 B. On that part of a highway located within the grounds of
17 an institution of higher education as defined in § 10–101(h) of the Education Article, or
18 within one-half mile of the grounds of a building or property used by the institution of
19 higher education where generally accepted traffic and engineering practices indicate that
20 motor vehicle, pedestrian, or bicycle traffic is substantially generated or influenced by the
21 institution of higher education;

22 4. Subject to subparagraph (vii)² of this paragraph, on
23 Interstate 83 in Baltimore City; or

24 5. In Anne Arundel County, on Maryland Route 175 (Jessup
25 Road) between the Maryland Route 175/295 interchange and the Anne Arundel
26 County–Howard County line.

27 **(XI) A LOCAL JURISDICTION MAY NOT ~~IMPLEMENT A NEW~~ USE A**
28 **SPEED MONITORING SYSTEM TO ENFORCE SPEED LIMITS ON ANY PORTION OF A**
29 **HIGHWAY FOR WHICH THE SPEED LIMIT HAS BEEN DECREASED WITHOUT**
30 **PERFORMING AN ENGINEERING AND TRAFFIC INVESTIGATION.**

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