

Proposed Amendment HB 404

On page 1, after line 16, insert:

(A) IN THIS SECTION, LOCAL AUTHORITY INCLUDES THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION,".

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

A BILL ENTITLED

1 AN ACT concerning

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

3 FOR the purpose of expanding to apply statewide the authorization for local authorities in
4 Montgomery County to decrease the maximum speed limit to not less than a certain
5 speed after performing a certain investigation, subject to certain restrictions on the
6 use of speed monitoring systems; and generally relating to the establishment of
7 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) IN THIS SECTION, "LOCAL AUTHORITY" INCLUDES THE
18 MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION.

19 [(a)] **(B)**(1) Except as provided in paragraphs (3) and (4) of this subsection, if, on
20 the basis of an engineering and traffic investigation, a local authority determines that any
21 maximum speed limit specified in this subtitle is greater or less than reasonable or safe
22 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:

23 (i) Decrease the limit at an intersection;

(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;

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

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

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

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

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

13 1. Montgomery County; and

14 2. Municipalities located in Montgomery County.

15 (ii) A local authority
16 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
investigation.

18 [(iii)] (II) A local authority may not implement a new speed
19 monitoring system to enforce speed limits on any portion of a highway for which the speed
20 limit has been decreased under this paragraph.

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

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

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

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

30 [(d)] (E) Except in Baltimore City, any alteration by a local authority of a
31 speed ~~limit~~ ^{maximum} part or extension of a State highway is not effective until it is approved by
32 the State Highway Administration.

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

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

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