

Department of Legislative Services
Maryland General Assembly
2024 Session

FISCAL AND POLICY NOTE
Third Reader

House Bill 278 (Delegate Kerr)

Environment and Transportation

Judicial Proceedings

Urban State Highways - Speed Limits - Exceptions

This bill authorizes the State Highway Administration (SHA) to decrease the maximum speed limit on a highway under its jurisdiction without an engineering and traffic investigation if SHA is only decreasing the maximum speed limit by five miles per hour (MPH).

Fiscal Summary

State Effect: The bill is not anticipated to materially affect State operations or finances because SHA plans to continue to perform traffic engineering studies to establish posted speed limits, even under the authority granted by the bill. However, to the extent that SHA uses the authority, Transportation Trust Fund (TTF) expenditures would be affected, and general fund revenues could be minimally affected), as discussed below.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: Unless there is a special danger that requires a lower speed, the maximum lawful speeds on a State highway are (1) 15 MPH in alleys in Baltimore County; (2) 30 MPH on all highways in a business district and on undivided highways in a residential district; (3) 35 MPH on divided highways in a residential district; (4) 50 MPH on undivided highways in other locations; and (5) 55 MPH on divided highways in other locations. A maximum speed limit of more than 55 MPH may not be established on any highway in the State that is not an interstate highway or an expressway, and a

maximum speed limit of more than 70 MPH may not be established on any highway in the State.

If, on the basis of an engineering and traffic investigation, SHA determines that a maximum speed is greater or less than is reasonable or safe under existing conditions on any part of a highway in its jurisdiction, SHA may establish a reasonable and safe maximum speed limit for that part of the highway. However, an engineering and traffic investigation is not required to conform a speed limit in effect on December 31, 1974, to one of the specified speed limits established by statute.

State Fiscal Effect: To the extent that SHA uses the authority by the bill to lower certain speed limits on State highways without first completing a traffic engineering study:

- general fund revenues may increase minimally due to more citations for speeding; however, the District Court can handle any additional caseload with existing resources; and
- TTF expenditures decrease minimally from fewer traffic engineering studies being conducted.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: None.

Information Source(s): Maryland Department of Transportation; Department of Legislative Services

Fiscal Note History: First Reader - February 7, 2024
km/ljm Third Reader - February 27, 2024

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