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By: **Delegates Impallaria, Anderson, Aumann, Bates, Boteler, Boutin, Bromwell, Burns, Cardin, Cluster, Costa, Donoghue, Dwyer, Feldman, Frank, Glassman, Haddaway, Holmes, James, Jones, Kach, Krebs, Marriott, McComas, McConkey, McDonough, McHale, Miller, Paige, Parrott, Ramirez, Trueschler, Weir, and Zirkin**

Introduced and read first time: February 11, 2005

Assigned to: Environmental Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **Motor Vehicle Laws - Alleys - Maximum Speed Limits**

3 FOR the purpose of establishing a certain maximum speed limit in an alley; and  
4 generally relating to maximum speeds in alleys.

5 BY repealing and reenacting, without amendments,  
6 Article - Transportation  
7 Section 21-101(b) and 21-801.1(a), (c), (d), and (e)  
8 Annotated Code of Maryland  
9 (2002 Replacement Volume and 2004 Supplement)

10 BY repealing and reenacting, with amendments,  
11 Article - Transportation  
12 Section 21-801.1(b)  
13 Annotated Code of Maryland  
14 (2002 Replacement Volume and 2004 Supplement)

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

17 **Article - Transportation**

18 21-101.

19 (b) "Alley" means a street that:

20 (1) Is intended to provide access to the rear or side of a lot or building in  
21 an urban district; and

22 (2) Is not intended for through vehicular traffic.

1 21-801.1.

2 (a) Unless there is a special danger that requires a lower speed to comply with  
3 § 21-801 of this subtitle, the limits specified in this section or otherwise established  
4 under this subtitle are maximum lawful speeds. A person may not drive a vehicle on  
5 a highway at a speed that exceeds these limits.

6 (b) Except as otherwise provided in this section, the maximum speed limits  
7 are:

8 (1) 10 MILES AN HOUR IN ALLEYS;

9 (2) 30 miles an hour on:

10 (i) All highways in a business district; and

11 (ii) Undivided highways in a residential district;

12 [(2)] (3) 35 miles an hour on divided highways in a residential district;

13 [(3)] (4) 50 miles an hour on undivided highways in other locations; and

14 [(4)] (5) 55 miles an hour on divided highways in other locations.

15 (c) Except as provided in subsection (e) of this section, a posted maximum  
16 speed limit lawfully in effect on December 31, 1974, is a maximum lawful speed even  
17 if it differs from a limit specified in subsection (b) of this section.

18 (d) Except as provided in subsection (e) of this section, a maximum speed limit  
19 specified in subsection (b) of this section or in effect under subsection (c) of this  
20 section may be altered as provided in this subtitle.

21 (e) (1) Notwithstanding any other provision of this subtitle, a maximum  
22 speed limit of more than 55 miles an hour may not be established or continued on any  
23 highway in this State that:

24 (i) Is not an interstate highway or an expressway; or

25 (ii) Would subject the State to federal funding sanctions under 23  
26 United States Code § 154.

27 (2) Subject to the provisions of paragraph (1) of this subsection, a  
28 maximum speed limit of more than 65 miles an hour may not be established on any  
29 highway in the State.

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
31 October 1, 2005.