

Department of Legislative Services
Maryland General Assembly
2009 Session

FISCAL AND POLICY NOTE

House Bill 36 (Delegates Haddaway and Eckardt)
Environmental Matters

Vehicle Laws - Reduction of Speed Limits by Local Authorities - Engineering and Traffic Investigations

This bill exempts a local authority from the requirement of conducting an engineering and traffic investigation in order to decrease a maximum speed limit in a business district or residential district to not less than 25 miles per hour.

Fiscal Summary

State Effect: None. The bill does not directly affect either State finances or operations.

Local Effect: Local government expenditures may decrease beginning in FY 2010.

Small Business Effect: Minimal.

Analysis

Current Law: If, on the basis of an engineering and traffic investigation, a local authority 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, the local authority may establish a reasonable and safe maximum speed limit for that part of the highway, which may:

- decrease the limit at an intersection;
- increase the limit in an urban district to not more than 50 miles per hour;
- decrease the speed limit in an urban district; or
- decrease the limit outside an urban district to not less than 25 miles per hour.

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.

Background: According to the Institute of Traffic Engineers, the most widely accepted method by state and local agencies is to set a speed limit at or below the speed at which 85% of the traffic is moving. This eighty-fifth percentile rule is derived from the finding of numerous studies that crash rates are lowest at around the speed of vehicles in the eighty-fifth percentile of all vehicles based on speed. According to a Federal Highway Administration study, all states and most local agencies use the eighty-fifth percentile speed of free flowing traffic as a basic factor in establishing speed limits. However, this rule is just one factor considered by a traffic engineer to determine an appropriate speed limit.

Local Expenditures: Beginning in fiscal 2010, local government expenditures may decrease slightly due to a potential decrease in the number of engineering and traffic investigations needed. Prince George's County indicates that any costs or savings associated with this bill are not significant.

Additional Information

Prior Introductions: None.

Cross File: SB 38 (Senator Colburn) - Judicial Proceedings.

Information Source(s): Institute of Traffic Engineers; Federal Highway Administration; Garrett, Montgomery, and Prince George's counties; City of Laurel; Judiciary (Administrative Office of the Courts); Maryland Department of Transportation; Department of Legislative Services

Fiscal Note History: First Reader - January 26, 2009
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