

**Department of Legislative Services**  
Maryland General Assembly  
2010 Session

**FISCAL AND POLICY NOTE**

Senate Bill 457

(Senator Glassman)

Judicial Proceedings

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**State Highway Administration - Speed Limits - Small Cities and Towns**

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This bill authorizes the State Highway Administration (SHA) to lower the speed limit on State highways within the boundaries of municipal corporations with populations of 1,000 or less. The bill states that it is the policy of the State to preserve the character and atmosphere of small towns and cities and to ensure the safe and free movement of pedestrians in these towns and cities.

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**Fiscal Summary**

**State Effect:** Minimal operational impact on SHA to the extent it decides to lower the speed limit of State highways under the bill. Expenditures are unaffected assuming implementation of the bill is not expedited beyond what can be handled with existing resources. General, special, and Transportation Trust Fund revenues may increase minimally only if more vehicles are issued citations for exceeding the speed limit in any of the 61 municipal corporations potentially affected by the bill.

**Local Effect:** The bill does not materially affect local government operations or finances.

**Small Business Effect:** None.

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**Analysis**

**Current Law:** State law does not specify a speed limit for highways within a municipal corporation. The speed limit is 30 miles per hour on all highways in a business district and on undivided highways in a residential district, 35 miles per hour on divided highways in a residential district, 50 miles per hour on undivided highways in other locations, and 55 miles per hour on divided highways in other locations.

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.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** City of Bowie, Judiciary (Administrative Office of the Courts), Department of State Police, Maryland Department of Transportation, Institute of Traffic Engineers, U.S. Department of Transportation, Department of Legislative Services

**Fiscal Note History:** First Reader - February 16, 2010  
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