

Department of Legislative Services
Maryland General Assembly
2014 Session

FISCAL AND POLICY NOTE
Revised

House Bill 873

(Delegate Conway, *et al.*)

Environmental Matters

Judicial Proceedings

Vehicle Laws - Divided Highways - Speed Limits and Crosswalks

This bill increases, from 55 miles per hour to 65 miles per hour, the generally applicable maximum speed limit on divided highways. Before the State Highway Administration (SHA) or a local jurisdiction increases a speed limit to more than 55 miles per hour, notice must be given to each member of the General Assembly in whose district the speed limit would apply; if within 45 days of providing this notice a member requests a public hearing, SHA or the local jurisdiction must hold a hearing. The bill also authorizes each intersection on a divided highway that has traffic lights located in a community with significant pedestrian activity to have a crosswalk through the divided highway.

Fiscal Summary

State Effect: Transportation Trust Fund (TTF) expenditures may increase, potentially significantly, beginning in FY 2015 as SHA conducts traffic engineering studies, provides required notices and public hearings, and installs new signs and any roadway infrastructure to accommodate changes to speed limits on divided highways. General fund revenues may be affected, likely minimally, due to an indeterminate change in the number of traffic citations issued for exceeding the maximum speed limit or for crosswalk violations.

Local Effect: Local government transportation capital expenditures increase, beginning in FY 2015, for any jurisdiction that establishes new crosswalks or adjusts speed limits under the bill. Revenues are not affected.

Small Business Effect: Minimal.

Analysis

Current Law: A divided highway is defined as a highway that is divided into two or more roadways by an intervening space, barrier, or clearly indicated dividing section constructed to impede vehicular traffic.

The maximum speed limit on a divided highway in a residential district is 35 miles per hour. In other locations, the maximum speed limit on an *undivided* highway is 50 miles per hour, while the maximum speed limit on a divided highway is 55 miles per hour. A “residential district” is defined as (1) an area that is not a business district and (2) adjoins and includes a highway where the property along the highway, for a distance of at least 300 feet, is improved mainly with residences or residences and buildings used for business. “Crosswalk” and “intersection” are also currently defined within the Maryland Vehicle Law. “Community” and “significant pedestrian activity” are not defined terms.

Background: According to the *Maryland Manual on Uniform Traffic Control Devices for Streets and Highways*, 2011 Edition, at locations controlled by traffic control signals or on approaches controlled by STOP or YIELD signs, crosswalk lines should be installed where engineering judgment indicates they are needed to direct pedestrians to the proper crossing path.

SHA advises that it began to upgrade 1,500 pedestrian traffic signals to be compliant with the Americans with Disabilities Act. To date, SHA has upgraded 900 of the 1,500 signals.

State Expenditures: According to SHA, the estimated average cost to establish a crosswalk is about \$20,000, which includes constructing a curb ramp, installing accessible and countdown pedestrian signals, and establishing the pedestrian crosswalk markings. SHA also advises that an additional 15% contingency should be budgeted to account for the purchase of any rights-of-way and the relocation of utility infrastructure, as needed. It is unclear how many additional crosswalks may be established under the bill, which applies to areas with “significant pedestrian activity,” as the decision to add crosswalks is discretionary.

Additionally, the bill authorizes the speed limits on numerous roadways throughout the State to be changed. Speed limit changes are undertaken only after engineering studies are completed. Thus, expenditures may also increase for SHA to conduct traffic engineering studies prior to changing a speed limit. Finally, to the extent that any highway speed limits are increased, the installation of new signs is necessary and additional guardrails or other roadside treatments may be necessary. The fabrication and installation of ground-mounted signs cost about \$300 to \$500 per sign, and installation of guardrails and other roadside treatments averages \$25,000 per location. The provision of

notice and a public hearing prior to raising a speed limit is not assumed to significantly affect TTF expenditures.

State Revenues: The bill increases the maximum allowable speed limit for some locations (divided highways generally). Typically, an increase in the maximum speed limit may result in a reduction in the number of citations issued for exceeding the speed limit. However, it is unclear to what extent the bill results in a decrease in speed limit citations and a corresponding reduction in fine revenues. Likewise, the bill may lead to an increase in crosswalk violations if additional crosswalks are installed. Due to the offsetting impacts, any change is not likely to be significant.

Local Expenditures: SHA advises that a majority of divided highways in the State are owned and maintained by the State. However, a significant number of divided highways are the property of local governments. Thus, local government expenditures may also increase to establish crosswalks, conduct traffic and engineering studies, and install any new roadway treatments, as needed. No jurisdiction responding to a request for fiscal information was able to provide an estimate of any such impacts, however. The provision of notice and a public hearing prior to raising a speed limit is not assumed to significantly affect local expenditures.

Additional Information

Prior Introductions: None.

Cross File: SB 1001 (Senator Mathias) – Judicial Proceedings.

Information Source(s): Harford and Wicomico counties; the cities of Frederick and Havre de Grace; Maryland Association of Counties; Maryland Municipal League; Department of State Police; Maryland Department of Transportation; Department of Legislative Services

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