

HOUSE BILL 539

R5

5lr2210

By: **Delegate Carr**

Introduced and read first time: February 11, 2015

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **State Highway Administration – Evaluation of Urban Highways – Classifications**
3 **and Speed Limits**

4 FOR the purpose of requiring the State Highway Administration to evaluate the
5 classifications of and speed limits for certain urban State highways; requiring the
6 Administration to review development activity along certain State highways for
7 classification purposes and assess each highway segment for which the classification
8 is updated to determine if the speed limit should be altered; requiring the
9 Administration to make available a written justification for any deviation
10 determined under this Act from a certain maximum speed limit; requiring the
11 Administration to determine certain appropriate speed limits for certain highway
12 segments under certain standards, unless the Administration makes available a
13 written justification for any deviation from those standards; requiring the
14 Administration to adopt certain regulations and to complete the evaluation on or
15 before a certain date; providing for the termination of this Act; and generally relating
16 to a State Highway Administration evaluation of urban highway classifications and
17 speed limits.

18 BY repealing and reenacting, without amendments,
19 Article – Transportation
20 Section 21–101(f), (s), and (y)
21 Annotated Code of Maryland
22 (2012 Replacement Volume and 2014 Supplement)

23 BY repealing and reenacting, with amendments,
24 Article – Transportation
25 Section 21–801.1
26 Annotated Code of Maryland
27 (2012 Replacement Volume and 2014 Supplement)

28 Preamble

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 WHEREAS, Maryland highways are meant to be used by many types of vehicles,
2 including automobiles, trucks, motorcycles, bicycles, motor scooters, mopeds, and electric
3 personal assistive mobility devices, and by pedestrians; and

4 WHEREAS, Maryland law has several defined classifications for developed areas
5 along highways, including business districts, residential districts, and urban districts, with
6 corresponding maximum speed limits; and

7 WHEREAS, The classifications for and speed limits on highways are not necessarily
8 updated over time as development takes place along the highways; and

9 WHEREAS, It is increasingly important to address safety issues for all users of
10 Maryland's State highways, especially in developed areas where there are more pedestrians
11 and bicyclists; now, therefore,

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

14 **Article – Transportation**

15 21–101.

16 (f) “Business district” means an area that adjoins and includes a highway where
17 at least 50 percent of the frontage along the highway, for a distance of at least 300 feet, is
18 occupied by buildings used for business.

19 (s) “Residential district” means an area that:

20 (1) Is not a business district; and

21 (2) Adjoins and includes a highway where the property along the highway,
22 for a distance of at least 300 feet, is improved mainly with residences or residences and
23 buildings used for business.

24 (y) “Urban district” means an area that:

25 (1) Adjoins and includes any street; and

26 (2) Is built up with structures that are:

27 (i) Devoted to business, industry, or dwelling houses; and

28 (ii) Situated at intervals of less than 100 feet, for a distance of at
29 least a quarter of a mile.

30 21–801.1.

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

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

6 (1) 15 miles an hour in alleys in Baltimore County;

7 (2) 30 miles an hour on:

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

9 (ii) Undivided highways in a residential district;

10 (3) 35 miles an hour on divided highways in a residential district;

11 (4) 50 miles an hour on undivided highways in other locations; and

12 (5) 55 miles an hour on divided highways in other locations.

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

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

19 (e) (1) Notwithstanding any other provision of this subtitle, a maximum speed
20 limit of more than 55 miles an hour may not be established or continued on any highway
21 in this State that is not an interstate highway or an expressway.

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

25 (f) (1) Unless otherwise posted on a public road in a residential subdivision,
26 in residential subdivisions in St. Mary's County, a posted speed limit on a main access road
27 applies to all public roads in the residential subdivision, even if the posted speed limit on
28 the main access road is less than 30 miles per hour.

29 (2) The provisions of paragraph (1) of this subsection do not apply when a
30 through road traverses a residential subdivision. The maximum speed limit applicable to
31 the subdivision shall be posted on each road exiting off the through road and into the
32 subdivision, along with the posting on the main access road.

1 (3) A maximum speed limit established under this subsection in a
2 residential subdivision shall be based on the subdivision's road design, motor vehicle traffic,
3 and pedestrian safety.

4 **(G) (1) THE STATE HIGHWAY ADMINISTRATION SHALL EVALUATE THE**
5 **CLASSIFICATIONS OF AND SPEED LIMITS FOR STATE HIGHWAYS, EXCLUSIVE OF**
6 **CONTROLLED ACCESS HIGHWAYS AND EXPRESSWAYS, IN URBANIZED AREAS OR**
7 **URBAN CLUSTERS, AS DESIGNATED BY THE DEPARTMENT OF PLANNING, FOR**
8 **CLASSIFICATION OR RECLASSIFICATION AS BUSINESS DISTRICTS, RESIDENTIAL**
9 **DISTRICTS, OR URBAN DISTRICTS.**

10 **(2) AS PART OF THE EVALUATION, THE STATE HIGHWAY**
11 **ADMINISTRATION SHALL:**

12 **(I) REVIEW THE DEVELOPMENT ACTIVITY ALONG EACH**
13 **APPLICABLE SEGMENT OF HIGHWAY AND DETERMINE WHETHER THE SEGMENT**
14 **MEETS THE CRITERIA OF A BUSINESS DISTRICT, A RESIDENTIAL DISTRICT, OR AN**
15 **URBAN DISTRICT;**

16 **(II) ASSESS EACH SEGMENT FOR WHICH THE CLASSIFICATION IS**
17 **UPDATED TO DETERMINE IF THE SPEED LIMIT SHOULD BE ALTERED BASED ON THE**
18 **MAXIMUM SPEED LIMITS ESTABLISHED UNDER THIS SECTION;**

19 **(III) AFTER THE REVIEW AND ASSESSMENT, MAKE AVAILABLE A**
20 **WRITTEN JUSTIFICATION FOR ANY DEVIATION FROM THE MAXIMUM SPEED LIMITS**
21 **ESTABLISHED UNDER THIS SECTION; AND**

22 **(IV) DETERMINE THE APPROPRIATE SPEED LIMIT FOR ANY**
23 **FINISHED HIGHWAY SEGMENT ON WHICH A RECONSTRUCTION OR REPAVEMENT**
24 **PROJECT BEGINS ON OR AFTER JANUARY 1, 2016.**

25 **(3) (I) THE SPEED LIMIT FOR A RECONSTRUCTED OR REPAVED**
26 **HIGHWAY DETERMINED UNDER PARAGRAPH (2)(IV) OF THIS SUBSECTION MAY NOT**
27 **EXCEED THE APPLICABLE MAXIMUM SPEED LIMIT ESTABLISHED UNDER THIS**
28 **SECTION UNLESS THE STATE HIGHWAY ADMINISTRATION MAKES AVAILABLE A**
29 **WRITTEN JUSTIFICATION FOR THE DEVIATION.**

30 **(II) THE STATE HIGHWAY ADMINISTRATION SHALL ADOPT**
31 **REGULATIONS GOVERNING DEVIATIONS IN SPEED LIMITS FOR RECONSTRUCTED OR**
32 **REPAVED HIGHWAYS UNDER THIS PARAGRAPH.**

33 **(4) THE STATE HIGHWAY ADMINISTRATION SHALL COMPLETE THE**
34 **EVALUATION REQUIRED UNDER THIS SECTION ON OR BEFORE JANUARY 1, 2019.**

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
2 1, 2015. It shall remain effective for a period of 4 years and, at the end of May 31, 2019,
3 with no further action required by the General Assembly, this Act shall be abrogated and
4 of no further force and effect.