

Department of Legislative Services
Maryland General Assembly
2017 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 865

(Senator Klausmeier, *et al.*)

Judicial Proceedings

Vehicle Laws - School Zone Crosswalks - Traffic Control Signals

This bill requires the State Highway Administration (SHA) or a local authority to place a traffic control signal at any marked crosswalk on a highway in a school zone if the speed limit is 35 miles per hour (mph) or more. Such a signal may only operate during the hours posted on signs designating the school zone.

The bill takes effect July 1, 2017.

Fiscal Summary

State Effect: Transportation Trust Fund (TTF) expenditures increase by approximately \$200,000 for each traffic control signal installed; however, the total cost cannot be reliably estimated at this time, as the number of additional traffic control signals that must be installed is unknown. Additional maintenance costs are also incurred. Revenues are not affected.

Local Effect: Local government expenditures increase significantly to install and maintain additional traffic control signals. Revenues are not affected. **This bill imposes a mandate on a unit of local government.**

Small Business Effect: Minimal.

Analysis

Current Law/Background: SHA is responsible for more than 5,200 miles or approximately 16,800 lane miles of road, 2,500 bridges, 3,500 small stream crossing structures, and 80 miles of sound barriers in the State. It also has responsibility for

planning, designing, constructing, and maintaining these roads and bridges to safety and performance standards while considering sociological, ecological, and economic concerns.

On every highway under its jurisdiction, SHA is required to install and maintain the traffic control devices that it considers necessary to carry out the provisions of the Maryland Vehicle Law or to regulate, warn, or guide traffic. Each device installed must conform to SHA's manual and specifications. A local authority may only install or maintain a traffic control device in SHA's jurisdiction with SHA's permission and under its direction.

Establishment of School Zones

SHA or a local authority is authorized to establish a school zone and maximum speed limits within the school zone, within a half-mile radius of any school. SHA is responsible for establishing school zones on State roads (either of its own volition or at the request of a local authority), and a local authority is responsible for establishing school zones under its own jurisdiction.

In any established school zone, SHA or the local authority must place signs that designate the school zone and may place other traffic control devices, including timed flashing warning lights. The signs must show the maximum speed limit of the school zone. In any school zone where a crossing guard is posted to assist students crossing a highway, the maximum speed limit may not exceed 35 mph during the hours designated by the school zone sign. Fines for speeding in a school zone are double the amount that would otherwise apply if (1) a sign designating a school zone is equipped with timed flashing warning lights and indicates that fines for speeding are doubled when the lights are activated and (2) the lights are activated when the violation occurs.

Speed Limits

Unless there is a special danger that requires a lower speed, the maximum lawful speeds on a State highway are (1) 15 mph in alleys in Baltimore County; (2) 30 mph on all highways in a business district and on undivided highways in a residential district; (3) 35 mph on divided highways in a residential district; (4) 50 mph on undivided highways in other locations; and (6) 55 mph on divided highways in other locations. A maximum speed limit of more than 70 mph may not be established on any highway in the State.

If, based on an engineering and traffic investigation, SHA or a local authority determines that any maximum speed limit that is greater or less than reasonable or safe under existing conditions on any part of a highway in its jurisdiction, it may establish a reasonable and safe maximum speed limit for that part of the highway in a specified manner. In a school zone, a county or a municipality within the county may decrease the maximum speed limit

to 15 mph if the county or municipality pays the cost of placing and maintaining the necessary signs.

State Expenditures: TTF expenditures increase by about \$200,000 for each traffic control signal installed; however, the total cost cannot be reliably estimated at this time, as the number of additional traffic control signals that must be installed is unknown. *For illustrative purposes only*, if SHA installs 25 additional traffic control signals as a result of the bill, TTF expenditures increase by \$5 million. Additional costs are incurred over time for maintenance.

Local Expenditures: Expenditures increase significantly for local governments to construct and maintain traffic signals at any marked crosswalk on a highway in a school zone if the speed limit is 35 mph or more. While the total cost for each local jurisdiction cannot be reliably estimated at this time, some jurisdictions have provided preliminary information. For example, Montgomery County has identified at least eight traffic signals that must be built and maintained at an approximate cost of \$3.5 million. Baltimore County has not yet surveyed its highways to determine an estimate; however, it advises that costs could be prohibitively expensive because it has 176 schools and some of the schools have as many as 12 crosswalks.

Additional Comments: Presumably, SHA or a local authority could reduce the speed limit in some or all of the affected areas to below 35 mph in order to avoid the bill's requirement.

Additional Information

Prior Introductions: None.

Cross File: Although HB 1199 (Delegate Bromwell, *et al.* - Environment and Transportation) is designated as a cross file, it is different.

Information Source(s): Anne Arundel, Baltimore, and Montgomery counties; cities of Frederick and Havre de Grace; Maryland State Department of Education; Maryland Department of Transportation; Department of Legislative Services

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