

# HOUSE BILL 562

R5

(11r0436)

## ENROLLED BILL

— *Environment and Transportation/Judicial Proceedings* —

Introduced by **Montgomery County Delegation**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

\_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_\_ M.

\_\_\_\_\_  
Speaker.

### CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Montgomery County – Speed Limits – Establishment**

3 **MC 02–21**

4 FOR the purpose of authorizing Montgomery County *and municipalities in Montgomery*  
5 *County* to decrease the maximum speed limit to not less than a certain speed on  
6 highways only after performing an engineering and traffic investigation; *prohibiting*  
7 *Montgomery County and municipalities in Montgomery County from implementing a*  
8 *new speed monitoring system to enforce speed limits on certain highways;* and  
9 generally relating to the establishment of speed limits on highways in Montgomery  
10 County *and municipalities in Montgomery County.*

11 BY repealing and reenacting, with amendments,

12 Article – Transportation

13 Section 21–803

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#### EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

*Italics indicate opposite chamber/conference committee amendments.*



1 Annotated Code of Maryland  
2 (2020 Replacement Volume)

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

5 **Article – Transportation**

6 21–803.

7 (a) (1) Except as provided in [paragraph (3)] **PARAGRAPHS (3) AND (4)** of  
8 this subsection, if, on the basis of an engineering and traffic investigation, a local authority  
9 determines that any maximum speed limit specified in this subtitle is greater or less than  
10 reasonable or safe under existing conditions on any part of a highway in its jurisdiction, it  
11 may establish a reasonable and safe maximum speed limit for that part of the highway,  
12 which may:

13 (i) Decrease the limit at an intersection;

14 (ii) Increase the limit in an urban district to not more than 50 miles  
15 per hour;

16 (iii) Decrease the limit in an urban district; or

17 (iv) Decrease the limit outside an urban district to not less than 25  
18 miles per hour.

19 (2) An engineering and traffic investigation is not required to conform a  
20 posted maximum speed limit in effect on December 31, 1974, to a different limit specified  
21 in § 21–801.1(b) of this subtitle.

22 (3) Calvert County may decrease the maximum speed limit to not less than  
23 15 miles per hour on Lore Road and, except for Solomons Island Road, each highway south  
24 of Lore Road without performing an engineering and traffic investigation, regardless of  
25 whether the highway is inside an urban district.

26 (4) **(I) THIS PARAGRAPH APPLIES ONLY TO:**

27 **1. MONTGOMERY COUNTY; AND**

28 **2. MUNICIPALITIES LOCATED IN MONTGOMERY**  
29 **COUNTY.**

30 **(II) ~~MONTGOMERY COUNTY~~ A LOCAL AUTHORITY MAY**  
31 **DECREASE THE MAXIMUM SPEED LIMIT TO NOT LESS THAN 15 MILES PER HOUR ON**

1 A HIGHWAY ONLY AFTER PERFORMING AN ENGINEERING AND TRAFFIC  
2 INVESTIGATION.

3 (III) A LOCAL AUTHORITY MAY NOT IMPLEMENT A NEW SPEED  
4 MONITORING SYSTEM TO ENFORCE SPEED LIMITS ON ANY PORTION OF A HIGHWAY  
5 FOR WHICH THE SPEED LIMIT HAS BEEN DECREASED UNDER THIS PARAGRAPH.

6 (b) In school zones designated and posted by the local authorities of any county:

7 (1) The county may decrease the maximum speed limit to 15 miles per hour  
8 during school hours, provided the county pays the cost of placing and maintaining the  
9 necessary signs; and

10 (2) Any municipality within each county may decrease the maximum speed  
11 limit in a school zone within the municipality to 15 miles per hour during school hours,  
12 provided the municipality pays the cost of placing and maintaining the necessary signs.

13 (c) An altered maximum speed limit established under this section is effective  
14 when posted on appropriate signs giving notice of the limit.

15 (d) Except in Baltimore City, any alteration by a local authority of a maximum  
16 speed limit on a part or extension of a State highway is not effective until it is approved by  
17 the State Highway Administration.

18 (e) (1) If a local authority determines that any maximum speed limit specified  
19 in this subtitle is greater than reasonable or safe in an alley in its jurisdiction, the local  
20 authority may establish a reasonable and safe maximum speed limit for the alley.

21 (2) The local authority shall post a speed limit established under this  
22 subsection on appropriate signs giving notice of the speed limit.

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
24 October 1, 2021.

Approved:

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Governor.

\_\_\_\_\_  
Speaker of the House of Delegates.

\_\_\_\_\_  
President of the Senate.