

Department of Legislative Services
Maryland General Assembly
2021 Session

FISCAL AND POLICY NOTE
Enrolled - Revised

House Bill 562 (Montgomery County Delegation)
Environment and Transportation

Judicial Proceedings

Montgomery County – Speed Limits – Establishment MC 02–21

This bill authorizes Montgomery County and municipalities within the county to decrease the maximum speed limit to no less than 15 miles per hour on a highway after performing an engineering and traffic investigation. However, the bill prohibits a local authority from implementing a new speed monitoring (*i.e.*, speed camera) system to enforce speed limits on any portion of a highway for which the speed limit has been decreased pursuant to the bill’s authorization.

Fiscal Summary

State Effect: General fund revenues may increase minimally due to more citations for speeding, assuming Montgomery County and/or municipalities within the county use the authorization granted by the bill to decrease speed limits in designated areas. The District Court can handle any additional caseload with existing resources.

Local Effect: Local government expenditures for Montgomery County and municipalities within the county increase minimally if more engineering and traffic investigations are conducted. Local revenues may increase, as discussed below.

Small Business Effect: None.

Analysis

Current Law: Unless there is a special danger that requires a lower speed, the maximum lawful speeds on a State highway are (1) 15 miles per hour (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 (5) 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, 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 no more than 50 MPH;
- decrease the speed limit in an urban district; or
- decrease the limit outside an urban district to no less than 25 MPH.

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.

Calvert County is authorized to decrease the maximum speed limit to no less than 15 MPH on Lore Road and, except for Solomons Island Road, each highway south of Lore Road without performing an engineering and traffic investigation, regardless of whether the highway is inside an urban district.

In school zones as designated and posted by the local authorities of any county, the county (or any municipality within the county) may decrease the maximum speed limit to 15 MPH during school hours, if the county (or municipality) pays the cost of placing and maintaining the signage.

Altered speed limits are effective when posted on appropriate signs giving notice of the limit. Any alteration by a local authority (except in Baltimore City) of a maximum speed limit on a part (or extension) of a State highway is not effective until approved by the State Highway Administration.

A local authority may establish a reasonable and safe maximum speed limit for an alley if it determines that the maximum speed limit under State law is greater than is reasonable or safe. However, the local authority must post a speed limit on appropriate signs giving notice of the speed limit.

Local Revenues: Although the bill prohibits Montgomery County and municipalities within the county from installing *new* speed camera systems on any portion of a highway for which the speed limit has been decreased to 15 miles per hour, any cameras that are *already* in operation on the bill's effective date may continue operation on such highways. Therefore, should the county or municipalities reduce speed limits on those highways, local

revenues may increase to the extent more automated enforcement citations are issued as a result of the lower speed limit. The exact impact on revenues cannot be reliably determined at this time, however, due to uncertainty regarding various factors (*e.g.*, the number of highways and speed cameras that may be affected by this provision, the traffic volume on such highways, the effect on driver behavior lower speed limits may have, *etc.*).

Additional Information

Prior Introductions: None.

Designated Cross File: None.

Information Source(s): Montgomery County; Department of State Police; Maryland Department of Transportation; Department of Legislative Services

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Analysis by: Eric F. Pierce

Direct Inquiries to:
(410) 946-5510
(301) 970-5510