

# HOUSE BILL 404

R5

2lr0452

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By: **Delegates Lehman, Guyton, Henson, R. Lewis, Moon, Palakovich Carr, Proctor, Ruth, and Stewart**

Introduced and read first time: January 19, 2022

Assigned to: Environment and Transportation

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 7, 2022

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

1 AN ACT concerning

### 2 **Vehicle Laws – Speed Limits – Establishment**

3 FOR the purpose of ~~expanding to apply statewide the authorization for~~ authorizing local  
4 authorities ~~in Montgomery County~~ statewide to decrease the maximum speed limit  
5 to not less than a certain speed after performing a certain investigation, subject to  
6 certain restrictions on the use of speed monitoring systems; and generally relating  
7 to the establishment of speed limits on highways.

8 BY repealing and reenacting, with amendments,

9 Article – Transportation

10 Section 21–803

11 Annotated Code of Maryland

12 (2020 Replacement Volume and 2021 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

14 That the Laws of Maryland read as follows:

### 15 **Article – Transportation**

16 21–803.

17 (a) (1) Except as provided in paragraphs (3) and (4) of this subsection, if, on  
18 the basis of an engineering and traffic investigation, a local authority determines that any  
19 maximum speed limit specified in this subtitle is greater or less than reasonable or safe

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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.



1 under existing conditions on any part of a highway in its jurisdiction, it may establish a  
2 reasonable and safe maximum speed limit for that part of the highway, which may:

3 (i) Decrease the limit at an intersection;

4 (ii) Increase the limit in an urban district to not more than 50 miles  
5 per hour; **OR**

6 (iii) Decrease the limit in an urban district, ~~or~~

7 ~~(iv) Decrease the limit outside an urban district to not less than 25~~  
8 ~~miles per hour.~~

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

12 (3) Calvert County may decrease the maximum speed limit to not less than  
13 15 miles per hour on Lore Road and, except for Solomons Island Road, each highway south  
14 of Lore Road without performing an engineering and traffic investigation, regardless of  
15 whether the highway is inside an urban district.

16 (4) (i) [This paragraph applies only to:

17 1. Montgomery County; and

18 2. Municipalities located in Montgomery County.

19 (ii)] A local authority may decrease the maximum speed limit to not  
20 less than 15 miles per hour on a highway only after performing an engineering and traffic  
21 investigation.

22 [(iii)] **(II)** A local authority may not implement a new speed  
23 monitoring system to enforce speed limits on any portion of a highway for which the speed  
24 limit has been decreased **TO LESS THAN 25 MILES PER HOUR** under this paragraph.

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

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

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

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

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

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

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

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
12 October 1, 2022.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.