

HOUSE BILL 434

R5
HB 941/21 – ENT

2lr2196
CF 2lr2197

By: **Delegate Wells**

Introduced and read first time: January 20, 2022

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Motor Vehicles – Speed Limits – Establishment and Enforcement**

3 FOR the purpose of authorizing Baltimore City to decrease or raise to a previously
4 established level the maximum speed limit on a highway under its jurisdiction
5 without performing an engineering and traffic investigation; prohibiting a local
6 jurisdiction from implementing a new speed monitoring system to enforce speed
7 limits on certain highways; and generally relating to the establishment and
8 enforcement of speed limits on highways.

9 BY repealing and reenacting, with amendments,
10 Article – Transportation
11 Section 21–803
12 Annotated Code of Maryland
13 (2020 Replacement Volume and 2021 Supplement)

14 BY repealing and reenacting, without amendments,
15 Article – Transportation
16 Section 21–809(b)(1)(vi)
17 Annotated Code of Maryland
18 (2020 Replacement Volume and 2021 Supplement)

19 BY adding to
20 Article – Transportation
21 Section 21–809(b)(1)(xi)
22 Annotated Code of Maryland
23 (2020 Replacement Volume and 2021 Supplement)

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

26 **Article – Transportation**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 21-803.

2 (a) (1) Except as provided in paragraphs (3) [and (4)] **THROUGH (5)** of this
3 subsection, if, on the basis of an engineering and traffic investigation, a local authority
4 determines that any maximum speed limit specified in this subtitle is greater or less than
5 reasonable or safe under existing conditions on any part of a highway in its jurisdiction, it
6 may establish a reasonable and safe maximum speed limit for that part of the highway,
7 which may:

8 (i) Decrease the limit at an intersection;

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

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

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

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

17 (3) Calvert County may decrease the maximum speed limit to not less than
18 15 miles per hour on Lore Road and, except for Solomons Island Road, each highway south
19 of Lore Road without performing an engineering and traffic investigation, regardless of
20 whether the highway is inside an urban district.

21 (4) (i) This paragraph applies only to:

22 1. Montgomery County; and

23 2. Municipalities located in Montgomery County.

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

27 (iii) A local authority may not implement a new speed monitoring
28 system to enforce speed limits on any portion of a highway for which the speed limit has
29 been decreased under this paragraph.

30 **(5) BALTIMORE CITY MAY DECREASE OR RAISE TO A PREVIOUSLY**
31 **ESTABLISHED LEVEL THE MAXIMUM SPEED LIMIT ON A HIGHWAY UNDER ITS**
32 **JURISDICTION WITHOUT PERFORMING AN ENGINEERING AND TRAFFIC**
33 **INVESTIGATION.**

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

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

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

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

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

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

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

18 21–809.

19 (b) (1) (vi) This section applies to a violation of this subtitle recorded by a
20 speed monitoring system that meets the requirements of this subsection and has been
21 placed:

22 1. In Montgomery County or Prince George’s County, on a
23 highway in a residential district, as defined in § 21–101 of this title, with a maximum posted
24 speed limit of 35 miles per hour, which speed limit was established using generally accepted
25 traffic engineering practices;

26 2. In a school zone with a posted speed limit of at least 20
27 miles per hour;

28 3. In Prince George’s County:

29 A. Subject to subparagraph (vii)¹ of this paragraph, on
30 Maryland Route 210 (Indian Head Highway); or

31 B. On that part of a highway located within the grounds of
32 an institution of higher education as defined in § 10–101(h) of the Education Article, or
33 within one-half mile of the grounds of a building or property used by the institution of

1 higher education where generally accepted traffic and engineering practices indicate that
2 motor vehicle, pedestrian, or bicycle traffic is substantially generated or influenced by the
3 institution of higher education;

4 4. Subject to subparagraph (vii)² of this paragraph, on
5 Interstate 83 in Baltimore City; or

6 5. In Anne Arundel County, on Maryland Route 175 (Jessup
7 Road) between the Maryland Route 175/295 interchange and the Anne Arundel
8 County–Howard County line.

9 **(XI) A LOCAL JURISDICTION MAY NOT IMPLEMENT A NEW SPEED**
10 **MONITORING SYSTEM TO ENFORCE SPEED LIMITS ON ANY PORTION OF A HIGHWAY**
11 **FOR WHICH THE SPEED LIMIT HAS BEEN DECREASED WITHOUT PERFORMING AN**
12 **ENGINEERING AND TRAFFIC INVESTIGATION.**

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