

HOUSE BILL 562

R5

1lr0436

By: **Montgomery County Delegation**

Introduced and read first time: January 20, 2021

Assigned to: Environment and Transportation

Committee Report: Favorable

House action: Adopted

Read second time: February 28, 2021

CHAPTER _____

1 AN ACT concerning

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

3 **MC 02–21**

4 FOR the purpose of authorizing Montgomery County to decrease the maximum speed limit
5 to not less than a certain speed on highways only after performing an engineering
6 and traffic investigation; and generally relating to the establishment of speed limits
7 on highways in Montgomery County.

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

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 [paragraph (3)] **PARAGRAPHS (3) AND (4)** of
18 this subsection, if, on the basis of an engineering and traffic investigation, a local authority
19 determines that any maximum speed limit specified in this subtitle is greater or less than

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

4 (i) Decrease the limit at an intersection;

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

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

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

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

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

17 **(4) MONTGOMERY COUNTY MAY DECREASE THE MAXIMUM SPEED**
18 **LIMIT TO NOT LESS THAN 15 MILES PER HOUR ON A HIGHWAY ONLY AFTER**
19 **PERFORMING AN ENGINEERING AND TRAFFIC INVESTIGATION.**

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

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

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

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

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

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

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

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

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.