

# SENATE BILL 457

R1, R5

0lr1793

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By: **Senator Glassman**

Introduced and read first time: February 1, 2010

Assigned to: Judicial Proceedings

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## A BILL ENTITLED

1 AN ACT concerning

2 **State Highway Administration – Speed Limits – Small Cities and Towns**

3 FOR the purpose of authorizing the State Highway Administration to establish, for  
4 the portion of a certain State highway that is located within the boundaries of a  
5 municipal corporation with a population under a certain size, a maximum speed  
6 limit that is lower than the maximum speed limit that is otherwise specified  
7 under certain provisions of law; declaring a certain policy of the State; declaring  
8 the intent of the General Assembly; and generally relating to speed limits on  
9 State highways.

10 BY repealing and reenacting, with amendments,  
11 Article – Transportation  
12 Section 21–801.1  
13 Annotated Code of Maryland  
14 (2009 Replacement Volume and 2009 Supplement)

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

17 **Article – Transportation**

18 21–801.1.

19 (a) Unless there is a special danger that requires a lower speed to comply  
20 with § 21–801 of this subtitle, the limits specified in this section or otherwise  
21 established under this subtitle are maximum lawful speeds. A person may not drive a  
22 vehicle on a highway at a speed that exceeds these limits.

23 (b) Except as otherwise provided in this section, the maximum speed limits  
24 are:

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1           (1)    15 miles an hour in alleys in Baltimore County;
- 2           (2)    30 miles an hour on:
- 3                (i)    All highways in a business district; and
- 4                (ii)   Undivided highways in a residential district;
- 5           (3)    35 miles an hour on divided highways in a residential district;
- 6           (4)    50 miles an hour on undivided highways in other locations; and
- 7           (5)    55 miles an hour on divided highways in other locations.

8           (c)    Except as provided in [subsection (e)] **SUBSECTIONS (E) AND (G)** of this  
9 section, a posted maximum speed limit lawfully in effect on December 31, 1974, is a  
10 maximum lawful speed even if it differs from a limit specified in subsection (b) of this  
11 section.

12           (d)    Except as provided in subsection (e) of this section, a maximum speed  
13 limit specified in subsection (b) of this section or in effect under subsection (c) of this  
14 section may be altered as provided in this subtitle.

15           (e)    (1)    Notwithstanding any other provision of this subtitle, a maximum  
16 speed limit of more than 55 miles an hour may not be established or continued on any  
17 highway in this State that:

- 18                (i)    Is not an interstate highway or an expressway; or
- 19                (ii)    Would subject the State to federal funding sanctions under  
20 23 United States Code § 154.

21           (2)    Subject to the provisions of paragraph (1) of this subsection, a  
22 maximum speed limit of more than 65 miles an hour may not be established on any  
23 highway in the State.

24           (f)    (1)    Unless otherwise posted on a public road in a residential  
25 subdivision, in residential subdivisions in St. Mary's County, a posted speed limit on a  
26 main access road applies to all public roads in the residential subdivision, even if the  
27 posted speed limit on the main access road is less than 30 miles per hour.

28           (2)    The provisions of paragraph (1) of this subsection do not apply  
29 when a through road traverses a residential subdivision. The maximum speed limit  
30 applicable to the subdivision shall be posted on each road exiting off the through road  
31 and into the subdivision, along with the posting on the main access road.

1           (3) A maximum speed limit established under this subsection in a  
2 residential subdivision shall be based on the subdivision's road design, motor vehicle  
3 traffic, and pedestrian safety.

4           **(G) FOR THE PORTION OF A STATE HIGHWAY, AS DEFINED IN § 8-101(Q)**  
5 **OF THIS ARTICLE, THAT IS LOCATED WITHIN THE BOUNDARIES OF A MUNICIPAL**  
6 **CORPORATION WITH A POPULATION OF NOT MORE THAN 1,000, THE STATE**  
7 **HIGHWAY ADMINISTRATION MAY ESTABLISH A MAXIMUM SPEED LIMIT THAT IS**  
8 **LOWER THAN THE MAXIMUM SPEED LIMIT THAT IS OTHERWISE SPECIFIED**  
9 **UNDER THIS SUBTITLE.**

10           SECTION 2. AND BE IT FURTHER ENACTED, That it is the policy of the  
11 State to preserve the character and atmosphere of small towns and cities and to  
12 ensure the safe and free movement of pedestrians in these towns and cities and that it  
13 is the intent of the General Assembly that the enactment of this Act will facilitate the  
14 furtherance of this policy.

15           SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
16 October 1, 2010.