

MEMORANDUM

September 26, 2023

TO: Marc Elrich, County Executive

FROM: Sara R. Tenenbaum, Clerk of the Council

SUBJECT: Enacted Legislation

The following item is being submitted to you for consideration:

- **Expedited Bill 11-23**, Motor Vehicles and Traffic – Traffic Signals, Devices, and Automated Enforcement Plan (The Safe Street Act of 2023)

Your approval or message of disapproval of this item is due back to the Clerk's office by close of business on **Friday, October 6th, 2023**.

Bill No. 11-23
Concerning: Motor Vehicles and Traffic –
Traffic Signals, Devices, and
Automated Enforcement Plan (The
Safe Street Act of 2023)
Revised: 9/19/2023 Draft No. 5
Introduced: February 28, 2023
Enacted: September 19, 2023
Executive: _____
Effective: _____
Sunset Date: None
Ch. _____, Laws of Mont. Co. _____

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

Lead Sponsor: Council President Glass
Co-Sponsors: Councilmembers Luedtke, Stewart, Katz, Fani-González, and Council Vice-President
Friedson, and Councilmembers Jawando, Balcombe, Mink, and Sayles

AN ACT to:

- (1) require ~~[[an]]~~ a safe route to school infrastructure review for pedestrian-related collisions within a County’s school zone, walkshed, and at a school bus stop;
- (2) prohibit a driver of a motor vehicle from making a right turn on a red at certain intersections;
- (3) require certain traffic control devices at crosswalks in the County’s downtown and town center areas;
- (4) require the County Executive to provide an automated traffic enforcement plan; and
- (5) generally amend the law regarding motor vehicles and traffic control.

By amending

Montgomery County Code
Chapter 31, Motor Vehicles and Traffic
Section 31-9A

By adding

Montgomery County Code
Chapter 31, Motor Vehicles and Traffic
Sections 31-9C and 31-9D

Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

The County Council for Montgomery County, Maryland approves the following Act:

- 27 (B) within a walkshed, if the collision occurred between 7 a.m.
- 28 and 9 p.m. on a school instructional day; or
- 29 (2) occurs at a school bus stop, upon notification by Montgomery
- 30 County Public Schools.
- 31 [(2) involves a student going to or from school;
- 32 (3) occurs in a designated school zone on school property during
- 33 arrival or dismissal times at any time.]]
- 34 (f) Contents of the [[traffic]] safe routes to school infrastructure review. The
- 35 review under subsection (e):
- 36 (1) must identify:
 - 37 [[(1)] (A) any deficiencies in engineering, traffic control, and
 - 38 traffic operations; [[and]]
 - 39 [[2)] (B) appropriate corrective actions and crash reduction
 - 40 countermeasures, including a redesign of the road network [[are]]
 - 41 consistent with the United States Department of Transportation’s
 - 42 best practices and the County’s Vision Zero program; and
 - 43 (C) prior collisions in the vicinity; and
 - 44 (2) may identify changes to safety-related outreach and education
 - 45 programs by the Department, if warranted.
- 46 (g) The Department of Transportation must:
 - 47 (1) complete the [[traffic]] safe routes to school infrastructure review
 - 48 within 6 months after notification by law enforcement or
 - 49 Montgomery County Public Schools when an injury or fatality has
 - 50 occurred on a County maintained roadway; and
 - 51 (2) post the contents of the review on the County’s website.

* * *

53 **31-9C. Traffic Control Signals and Devices.**

- 54 (a) Legislative findings. The County Council finds and declares that:
- 55 (1) In 2016, the Montgomery County Council passed Resolution No.
- 56 18-390 supporting Vision Zero and the policies and investments
- 57 necessary to achieve it by 2030. Vision Zero is a strategy to
- 58 eliminate all traffic fatalities and severe injuries while increasing
- 59 safe, healthy, and equitable mobility for all.
- 60 (2) Progress has been made to reduce injuries and deaths on our
- 61 roadways due to more sidewalk installations, dedicated bike lanes,
- 62 automated traffic enforcement, and other traffic calming
- 63 techniques that decrease safety risks for non-motorists and
- 64 motorists alike. While we have made advancements in our safety
- 65 investments for pedestrians and cyclists in the County, residents in
- 66 our equity-emphasis areas are still more likely to experience an
- 67 injury or fatality on our roads.
- 68 (3) Since 2020, 41 pedestrians and bicyclists have been killed by
- 69 motorists, and over 1,400 have been injured. In 2022 alone, 19
- 70 non-motorists died and 574 were hit.
- 71 (4) Since 2015, 64 percent of all pedestrian-involved crashes occurred
- 72 at intersections. For bicyclists, 74 percent of all incidents occurred
- 73 at intersections.
- 74 (5) Ensuring the health and safety of 1.1 million residents will
- 75 continue to be a top priority for the Montgomery County
- 76 government. By implementing evidence-based measures and
- 77 maximizing resources to areas in critical need, more lives can be
- 78 saved.
- 79 (b) Definitions. As used in this Section:
- 80 Department means the Department of Transportation.

81 Director means the Director of Transportation or the Director’s designee.

82 Downtown area has the same meaning as stated in Section 49-31.

83 Leading pedestrian interval means a traffic control device that:

84 (1) allows a pedestrian to establish a presence in the crosswalk
 85 before vehicles are given a green indication; and

86 (2) has specifications in accordance with the most recent edition of
 87 the Manual on Uniform Traffic Control Devices for Highways
 88 and Streets.

89 Town center area has the same meaning as stated in Section 49-31.

90 (c) Signage - required. The Department must erect signage that indicates
 91 “No Right Turn on Red” at [[the intersection of a County road]] County-
 92 owned signalized intersections located:

93 (1) in a downtown area; and

94 (2) in a town center area.

95 (d) Right turn on red – prohibited. A driver of a motor vehicle must not make
 96 a right turn on a red signal as marked by a posted sign under subsection
 97 (c).

98 (e) Leading pedestrian interval – required. The Director must install or cause
 99 to be installed a leading pedestrian interval at every crosswalk of a
 100 [[County road]] County-owned signalized intersection located:

101 (1) in a downtown area;

102 (2) in a town center area[[.]]; and

103 (3) at the closest intersection within 1,300 feet in each direction of an
 104 access point of a school, park, rail, library, bus rapid transit station,
 105 or community center frontage.

106 (f) Exemption. The requirements of subsection (c) or (e) do not apply at a
 107 signalized intersection if the Director determines that installing a “no

108 right turn on red” restrictions or leading pedestrian interval would
 109 significantly impair public safety.

110 (g) Annual Reporting. By July 1 of each year, the Director must transmit to
 111 the Council a report that includes:

112 (1) a rationale or evaluation, for any intersection where the Director
 113 determined, under subsection (f), the installation of “no right turn
 114 on red” signage or a leading pedestrian interval is exempt; and

115 (2) the number of referrals made by the Department to a municipality,
 116 [[or]] the State Highway Administration, Montgomery County
 117 Public Schools, or any agency requesting an infrastructure safety
 118 review [[with recommendations for road safety improvements]]
 119 for each traffic collision that occurred on a non-County maintained
 120 roadway.

121 (3) The report must be updated and resubmitted to the Council
 122 annually to account for any changes in circumstances or
 123 recommendations by the Department.

124 **31-9D. Automated Enforcement Action Plan.**

125 (a) The County Executive, or the Executive’s designee, must transmit to the
 126 Council an automated enforcement action plan that includes:

127 (1) an explanation of the plan, the goals, and the strategies to increase
 128 automated enforcement programs approved for use in the County
 129 by the Council;[[.cameras:

130 (A) at red traffic lights;

131 (B) stop signs; and

132 (C) speed monitoring devices;]]

- 133 (2) a recommended number of automated enforcement cameras, by
 134 camera type, that should be deployed in the County to achieve
 135 appropriate levels of enforcement and related traffic safety results;
 136 (3) a timeline for deploying the recommended number of cameras,
 137 including the number of additional cameras to be deployed, by
 138 camera type and by fiscal year;
 139 (4) the amount of funding necessary, in addition to what has been
 140 authorized as of the date of the plan’s publication, by fiscal year,
 141 to attain the target number of cameras; and
 142 (5) any other necessary recommendations for consideration.
 143 (b) Annual plan. The plan must be updated and resubmitted to the Council
 144 annually.

145 **Sec. 3. Transition; effective date.**

146 The County Executive must provide an automated enforcement action plan as
 147 required under Section 31-9D, added under Section 2 of this Act, within 180 days after
 148 the enactment of this Act. Sections 31-9A and 31-9C, as added by Section 2 of this
 149 Act, take effect on July 1, 2025.

Approved:


Evan Glass, President, County Council

September 19, 2023

Date

Approved:

Marc Elrich, County Executive

Date

This is a correct copy of Council action.

Sara R. Tenenbaum, Clerk of the Council

Date