
Memorandum

To: Concord Transportation Advisory Committee
From: Phil Posner
Subject: Historical and Current Framework for Municipal Speed Limit Authority in Massachusetts, with Implications for Concord
Date: February 10, 2026 rev Feb. 26, 2026

Purpose

This memorandum provides an overview of how Massachusetts municipalities—specifically Concord—have gained and exercised authority to set speed limits on local and arterial roads from 1920 to the present. It highlights the recent MassDOT policy change that allows municipalities to reduce speeds on previously “speed-zoned” roads without conducting a new engineering study, a shift that has significant implications for Concord’s transportation planning, safety goals, and village-center traffic management.

1. Background: Massachusetts’ Longstanding Shared-Authority Model

For more than a century, Massachusetts has used a shared governance structure for speed regulation.

- The state establishes the legal framework through **Chapter 90**.
- Municipalities manage local roads but historically required state approval—and a formal engineering study—to post or change speed limits.
- The default rule for unposted roads has long been the “**reasonable and proper**” standard.

This model shaped Concord’s speed-limit landscape for decades, especially on arterial roads such as Route 2A, Route 62, and Route 119.

2. 1920–1970: Early Local Road Development and Strict State Oversight

As Concord’s residential neighborhoods expanded and village centers evolved, the town—like others across the Commonwealth—faced increasing pressure to manage speeds.

- Municipalities could request posted limits under **Chapter 90, Section 18**, but only after submitting engineering data to the state.
- Most local roads remained unposted, governed by the “reasonable and proper” rule.
- Arterial roads, even when under local jurisdiction, were subject to strict state review.

This era established the pattern of limited municipal flexibility that persisted for decades.

3. 1970–2015: The 85th-Percentile Standard and Limited Local Discretion

During this period, Massachusetts adopted national engineering norms, especially the “**85th-percentile Rule**”, which often favored higher speed limits. The Rule set speed limits based on measured speeds of motor vehicles – without consideration of contextual (pedestrian, bicyclist, other VRU) safety factors.

- Municipalities—including Concord—frequently found that requests for lower limits were denied if engineering data showed prevailing speeds above the desired limit.
- Local roads typically remained at **25–30 mph**, while arterials were set at **35–45 mph**.
- Traffic calming became more common, but speed-limit changes remained difficult.

For Concord, this meant that areas like West Concord Village, Thoreau Street, Sudbury Road, and Bedford Street often could not receive lower posted limits despite pedestrian activity and multimodal needs.

- The Board of Selectmen adopted ‘Traffic, Parking and Pedestrian Rules and Regulations pursuant to G.L. ch. 40 §22 which have been periodically updated. The ‘Speed Zones’ established by the document were established beginning in 1949 and were periodically updated into the 1980s using the 85% Rule approach. Changing a speed limit requires a process to be implemented by the Traffic Management Group (TMG). The TMG keeps no records so there is documented basis for determining how often the procedures have been utilized and their impact over time.

4. 2016: Municipal Modernization Act — Expanded Local Authority

The **Municipal Modernization Act (2016)** marked a major shift. It allowed municipalities to:

- Adopt a **25 mph default speed limit** in thickly settled or business districts without state approval.
- Establish **20 mph Safety Zones** in designated areas such as schools, senior centers, and high-pedestrian corridors.

Concord, with its historic village centers and pedestrian-oriented districts, gained new tools to manage speeds on local streets without navigating the state approval process.

5. Early 2020s: MassDOT Policy Change — Reducing Speed-Zoned Limits Without New Engineering Studies

MassDOT recently implemented a significant policy change that directly affects Concord’s ability to manage speeds on arterial and collector roads.

Key elements of the new policy

- Municipalities may **reduce posted speed limits on roads previously “speed-zoned”** (i.e., roads with state-approved posted limits) **without conducting a new engineering study**. The change is initiated by the municipal body that adopted the speed zones. In Concord, this body is the SelectBoard.
- MassDOT now allows municipalities to justify reductions using **contextual safety factors**, including:
 - Pedestrian and bicycle activity
 - Land-use patterns and village-center density
 - Crash history
 - Roadway geometry
 - Multimodal transportation goals
- The state still reviews and approves changes, but the process is significantly streamlined.

Why this matters for Concord

This policy shift gives Concord new flexibility on roads where speed limits were historically locked in by older engineering studies—often based on higher prevailing speeds.

Examples of corridors where this may be relevant include:

- **Commonwealth Avenue (West Concord Village)**
- **Sudbury Road near Concord Center and at the Garfield Road/Seven Star Road intersection**
- **Bedford Street and Lexington Road**
- **Main Street approaching West Concord**

- **Monument Street and Lowell Road**, where pedestrian activity and narrow geometry conflict with older speed zoning

The new policy allows Concord to align posted limits with its Vision Zero principles, Complete Streets goals, and village-center planning efforts.

6. Current Landscape: A More Flexible, Context-Sensitive System

Today, Concord operates within a framework that offers more municipal discretion than at any time in the past century.

- **Local roads:** Concord may adopt 25 mph defaults and 20 mph Safety Zones without state approval.
- **Arterial and collector roads:** Concord may request speed reductions without producing new engineering studies, relying instead on contextual safety evidence.
- **State review** remains, but the process is faster and more responsive to local needs.

This environment supports Concord’s broader transportation goals, including safer crossings, improved walkability, and traffic calming in historic and village-center areas.

7. Implications for the Transportation Advisory Committee

The TAC is now positioned to:

- Reevaluate older speed-zoned corridors where posted limits no longer reflect land use or safety needs.
- Integrate speed-limit policy with Concord’s Complete Streets Prioritization Plan.
- Support village-center revitalization by recommending context-appropriate speed reductions.
- Coordinate speed-limit changes with physical traffic-calming measures for maximum effect.
- Engage the community in discussions about safety, mobility, and roadway design.

The committee’s recommendations can now carry more weight, as the regulatory environment is far more receptive to local policy goals than in previous decades.

Conclusion

Massachusetts has moved from a rigid, engineering-dominated system to a flexible, context-sensitive framework that empowers municipalities. For Concord, the recent MassDOT policy change represents a major opportunity to align speed limits with community values, safety priorities, and multimodal transportation goals—especially in village centers and along key arterial corridors.

