

SENATE BILL 70

R5

9lr0017

(PRE-FILED)

By: **Chair, Judicial Proceedings Committee (By Request – Departmental – Transportation)**

Requested: October 4, 2018

Introduced and read first time: January 9, 2019

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws – HOV Lanes – Plug-In Electric Drive and Hybrid Vehicles**

3 FOR the purpose of altering the termination date for certain provisions of law authorizing
4 certain plug-in electric drive vehicles to use a high occupancy vehicle (HOV) lane
5 under certain circumstances regardless of the number of passengers in the vehicle;
6 altering the termination date for certain provisions of law making certain
7 authorizations regarding the use of certain HOV lanes by plug-in electric drive
8 vehicles applicable to qualified hybrid vehicles; and generally relating to the use of
9 HOV lanes by plug-in electric drive and hybrid vehicles.

10 BY repealing and reenacting, without amendments,
11 Article – Transportation
12 Section 21–314 and 25–108
13 Annotated Code of Maryland
14 (2012 Replacement Volume and 2018 Supplement)

15 BY repealing and reenacting, with amendments,
16 Chapter 491 of the Acts of the General Assembly of 2010, as amended by Chapters
17 64 and 65 of the Acts of the General Assembly of 2013, Chapter 734 of the
18 Acts of the General Assembly of 2016, and Chapters 678 and 679 of the Acts
19 of the General Assembly of 2018
20 Section 2

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22 Chapter 492 of the Acts of the General Assembly of 2010, as amended by Chapters
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24 Acts of the General Assembly of 2016, and Chapters 678 and 679 of the Acts
25 of the General Assembly of 2018
26 Section 2

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 BY repealing and reenacting, with amendments,
2 Chapter 734 of the Acts of the General Assembly of 2016, as amended by Chapters
3 678 and 679 of the Acts of the General Assembly of 2018
4 Section 4

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

7 **Article – Transportation**

8 21–314.

9 (a) In this section, “HOV lane” means a high occupancy vehicle lane, the use of
10 which is restricted by a traffic control device during specified times to vehicles carrying at
11 least a specified number of occupants.

12 (b) Except as provided in subsection (c) of this section, a person may not drive a
13 vehicle in an HOV lane unless authorized by a traffic control device.

14 (c) (1) The following vehicles may be driven in an HOV lane at all times
15 regardless of the number of passengers in or on the vehicle:

16 (i) A bus;

17 (ii) A motorcycle;

18 (iii) A plug-in electric drive vehicle displaying a valid permit issued
19 under § 25–108 of this article; and

20 (iv) A tow truck that is properly registered in accordance with §
21 13–920 of this article and is using any visual signal that meets the requirements of §
22 22–218 of this article while responding to a call for service if an appropriate law
23 enforcement agency has authorized the tow truck operator to use HOV lanes.

24 (2) A qualified hybrid vehicle displaying a valid permit issued under §
25 25–108 of this article may be driven in the portion of U.S. Route 50 designated as an HOV
26 lane, between Interstate 95/Interstate 495 and U.S. Route 301, at all times regardless of
27 the number of passengers in or on the vehicle.

28 25–108.

29 (a) In this section, “HOV lane” means a high occupancy vehicle lane, the use of
30 which is restricted by a traffic control device during specified times to vehicles carrying at
31 least a specified number of occupants.

32 (b) This section applies only to:

1 (1) A plug-in electric drive vehicle that has a maximum speed capability of
2 at least 65 miles per hour; and

3 (2) A qualified hybrid vehicle as defined in § 23-202(b)(3) of this article.

4 (c) (1) Whenever the State Highway Administration designates a portion of a
5 highway as an HOV lane, the HOV lane may be used at all times by plug-in electric drive
6 vehicles that have obtained a permit from the Administration under this section, regardless
7 of the number of passengers in the vehicle.

8 (2) For the portion of U.S. Route 50 designated as an HOV lane, between
9 Interstate 95/Interstate 495 and U.S. Route 301, the HOV lane may be used at all times by
10 qualified hybrid vehicles that have obtained a permit from the Administration under this
11 section, regardless of the number of passengers in the vehicle.

12 (d) (1) The Administration, the State Highway Administration, and the
13 Department of State Police shall consult to design a permit to designate a vehicle as a
14 plug-in electric drive vehicle or a qualified hybrid vehicle authorized to use an HOV lane.

15 (2) The Administration may charge a fee, not to exceed \$20, for issuing a
16 permit under this section.

17 (3) The Administration, on the recommendation of the State Highway
18 Administration, may limit the number of permits issued to ensure HOV lane operations are
19 not degraded to an unacceptable level.

20 (e) On or before January 1 of each year, the Administration and the State
21 Highway Administration jointly shall report to the Governor and, in accordance with §
22 2-1246 of the State Government Article, the General Assembly on the effect of the use of
23 the plug-in electric drive vehicle and qualified hybrid vehicle permits issued under this
24 section on the operation of HOV lanes in the State.

25 **Chapter 491 of the Acts of 2010, as amended by Chapters 64 and 65 of the Acts of**
26 **2013, Chapter 734 of the Acts of 2016, and Chapters 678 and 679 of the Acts of 2018**

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
28 October 1, 2010. It shall remain effective for a period of [12] 14 years AND 364 DAYS and,
29 at the end of September [30] 29, [2022] 2025, with no further action required by the
30 General Assembly, this Act shall be abrogated and of no further force and effect.

31 **Chapter 492 of the Acts of 2010, as amended by Chapters 64 and 65 of the Acts of**
32 **2013, Chapter 734 of the Acts of 2016, and Chapters 678 and 679 of the Acts of 2018**

33 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
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1 General Assembly, this Act shall be abrogated and of no further force and effect.

2 **Chapter 734 of the Acts of 2016, as amended by Chapters 678 and 679 of the Acts**
3 **of 2018**

4 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 October 1, 2016. Section 2 of this Act shall remain effective for a period of **[6] 2** years **AND**
6 **364 DAYS** and, at the end of September **[30] 29, [2022] 2019**, with no further action
7 required by the General Assembly, Section 2 of this Act shall be abrogated and of no further
8 force and effect.

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
10 1, 2019.