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State of Minnesota  
HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH  
SESSION

HOUSE FILE No. **399**

January 29, 2009

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The bill was read for the first time and referred to the Transportation and Transit Policy and Oversight Division

1.1 A bill for an act  
1.2 relating to transportation; allowing fuel-efficient vehicles to be operated on  
1.3 high-occupancy vehicle lanes; amending Minnesota Statutes 2008, section  
1.4 160.93, subdivision 4, by adding a subdivision.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2008, section 160.93, is amended by adding a  
1.7 subdivision to read:

1.8 Subd. 1a. **High mileage vehicles exemption.** (a) Notwithstanding subdivision 1,  
1.9 the commissioner shall allow an operator of a single-occupant, fuel-efficient vehicle  
1.10 to use any high-occupancy vehicle lane on the trunk highway system, regardless of  
1.11 occupancy requirements established for other types of vehicles. The commissioner shall  
1.12 provide, upon request and without charge, a user fee collection device as required for  
1.13 single-occupant vehicle operators under subdivision 1.

1.14 (b) An operator of a single-occupant, fuel-efficient vehicle may use a high-occupancy  
1.15 vehicle lane if the vehicle is equipped with a properly functioning user fee collection  
1.16 device as required for single-occupant vehicle operators under subdivision 1.

1.17 (c) For purposes of this subdivision, "fuel-efficient vehicle" means a passenger  
1.18 automobile, as defined in section 168.011, subdivision 7, that has a highway estimate of at  
1.19 least 33 miles per gallon (m.p.g.) for the specific make, model, and engine configuration,  
1.20 including but not limited to the engine size and type of transmission. The highway  
1.21 estimate is as provided for the vehicle's model year in the fuel economy guide produced  
1.22 by the United States Environmental Protection Agency and the United States Department  
1.23 of Energy. In determining whether a vehicle qualifies as a fuel-efficient vehicle, for any

2.1 model year before 2008, the commissioner shall use the fuel economy estimation provided  
2.2 under the new estimation method established for model year 2008 and later.

2.3 Sec. 2. Minnesota Statutes 2008, section 160.93, subdivision 4, is amended to read:

2.4 Subd. 4. **Prohibition.** No person may operate a single-occupant vehicle in a  
2.5 designated high-occupancy vehicle lane or dynamic shoulder lane except in compliance  
2.6 with the provisions of this section and the requirements of the commissioner. A person  
2.7 who violates this subdivision is guilty of a petty misdemeanor and is subject to sections  
2.8 169.89, subdivisions 1, 2, and 4, and 169.891 and any other provision of chapter 169  
2.9 applicable to the commission of a petty misdemeanor traffic offense.