

Department of Legislative Services
Maryland General Assembly
2018 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

House Bill 1412

(Delegates Saab and S. Howard)

Environment and Transportation

Judicial Proceedings

**Vehicle Laws - High Occupancy Vehicle (HOV) Lanes - Hours of Operation on
U.S. Route 50**

This bill establishes that the multiple passenger requirement for vehicles using a high occupancy vehicle (HOV) lane on the portion of U.S. Route 50 between Interstate 95/Interstate 495 and U.S. Route 301 only applies Monday through Friday, between 6 a.m. and 9 a.m. and between 4 p.m. and 7 p.m. During all other times, a vehicle may use an HOV lane along that portion of U.S. Route 50 regardless of the number of passengers. However, the State Highway Administration may suspend the bill's day and time restrictions if it determines that the restrictions do not comply with federal law.

Fiscal Summary

State Effect: General fund revenues decrease, likely minimally, beginning in FY 2019 due to fewer citations issued. Enforcement can be handled with existing resources.

Local Effect: Prince George's County finances and operations are not materially affected, as enforcement can be handled with existing resources.

Small Business Effect: Minimal.

Analysis

Current Law: Generally, a person may not drive a vehicle in an HOV lane unless authorized by a traffic control device. However, certain vehicles may be driven in an HOV lane at all times regardless of the number of passengers in (or on) the vehicle, including:

- a bus;
- a motorcycle;
- a plug-in electric drive vehicle displaying the required permit; and
- a tow truck that is properly registered while responding to a call for service (if an appropriate law enforcement agency has authorized the tow truck operator to use HOV lanes).

In addition, a qualified hybrid vehicle displaying the appropriate permit may use an HOV lane along the portion of U.S. Route 50 between Interstate 95/Interstate 495 and U.S. Route 301 at all times, regardless of the number of passengers.

State Revenues: In fiscal 2017, there were 3,288 violations of driving in an HOV lane without proper authorization, which is a misdemeanor that carries a fine of up to \$500. The prepayable amount set by the District Court is \$90. A small portion of individuals receiving citations – about 11% – opted for a trial in fiscal 2017.

The number of citations issued along the relevant segment of U.S. Route 50 during nonpeak commuting hours is unknown. However, because fewer individuals are expected to receive citations under the bill, general fund revenues decrease, likely minimally, beginning in fiscal 2019.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Prince George’s County; Judiciary (Administrative Office of the Courts); Department of State Police; Maryland Department of Transportation; Department of Legislative Services

Fiscal Note History: First Reader - March 6, 2018
 nb/ljm Third Reader - March 29, 2018
 Revised - Amendment(s) - March 29, 2018

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