

# HOUSE BILL 714

R5

8lr1868  
CF SB 751

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By: **Delegates McMillan, Fraser-Hidalgo, Ciliberti, Anderton, Beidle, Clark, Flanagan, Folden, Healey, Holmes, Jacobs, Jalisi, Lafferty, McCray, Otto, Robinson, and Stein**

Introduced and read first time: January 31, 2018

Assigned to: Environment and Transportation

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Committee Report: Favorable

House action: Adopted

Read second time: March 11, 2018

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

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

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

11 BY repealing and reenacting, without amendments,  
12 Article – Transportation  
13 Section 25–108  
14 Annotated Code of Maryland  
15 (2012 Replacement Volume and 2017 Supplement)

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

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### EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 BY repealing and reenacting, with amendments,  
2 Chapter 492 of the Acts of the General Assembly of 2010, as amended by Chapters  
3 64 and 65 of the Acts of the General Assembly of 2013 and Chapter 734 of the  
4 Acts of the General Assembly of 2016  
5 Section 2

6 BY repealing and reenacting, with amendments,  
7 Chapter 734 of the Acts of the General Assembly of 2016  
8 Section 4

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

11 **Article – Transportation**

12 25–108.

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

16 (b) This section applies only to:

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

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

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

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

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

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

33 (3) The Administration, on the recommendation of the State Highway  
34 Administration, may limit the number of permits issued to ensure HOV lane operations are

1 not degraded to an unacceptable level.

2 (e) On or before January 1 of each year, the Administration and the State  
3 Highway Administration jointly shall report to the Governor and, in accordance with §  
4 2–1246 of the State Government Article, the General Assembly on the effect of the use of  
5 the plug-in electric drive vehicle and qualified hybrid vehicle permits issued under this  
6 section on the operation of HOV lanes in the State.

7 **Chapter 491 of the Acts of 2010, as amended by Chapters 64 and 65 of the Acts of**  
8 **2013 and Chapter 734 of the Acts of 2016**

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
10 October 1, 2010. It shall remain effective for a period of [8] 12 years and, at the end of  
11 September 30, [2018] 2022, with no further action required by the General Assembly, this  
12 Act shall be abrogated and of no further force and effect.

13 **Chapter 492 of the Acts of 2010, as amended by Chapters 64 and 65 of the Acts of**  
14 **2013 and Chapter 734 of the Acts of 2016**

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
16 October 1, 2010. It shall remain effective for a period of [8] 12 years and, at the end of  
17 September 30, [2018] 2022, with no further action required by the General Assembly, this  
18 Act shall be abrogated and of no further force and effect.

19 **Chapter 734 of the Acts of 2016**

20 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect  
21 October 1, 2016. Section 2 of this Act shall remain effective for a period of [2] 6 years and,  
22 at the end of September 30, [2018] 2022, with no further action required by the General  
23 Assembly, Section 2 of this Act shall be abrogated and of no further force and effect.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
25 October 1, 2018.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.