

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

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: January 29, 2019

CHAPTER _____

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~~ repealing certain provisions of law
4 authorizing certain ~~plug-in electric drive vehicles to use a high occupancy vehicle~~
5 ~~(HOV) lane under certain circumstances regardless of the number of passengers in~~
6 ~~the vehicle; altering the termination date for certain provisions of law making~~
7 ~~certain authorizations regarding the use of certain HOV lanes by plug-in electric~~
8 ~~drive vehicles applicable to qualified hybrid vehicles; qualified hybrid vehicles to use~~
9 a high occupancy vehicle (HOV) lane along a certain highway regardless of the
10 number of passengers in the vehicle; providing for an abnormal effective date; and
11 generally relating to the use of HOV lanes by ~~plug-in electric drive and~~ hybrid
12 vehicles.

13 BY repealing and reenacting, ~~without~~ with amendments,
14 Article – Transportation
15 Section 21–314 and 25–108
16 Annotated Code of Maryland
17 (2012 Replacement Volume and 2018 Supplement)

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

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.



~~Acts of the General Assembly of 2016, and Chapters 678 and 679 of the Acts of the General Assembly of 2018~~

~~Section 2~~

~~BY repealing and reenacting, with amendments,~~

~~Chapter 492 of the Acts of the General Assembly of 2010, as amended by Chapters 64 and 65 of the Acts of the General Assembly of 2013, Chapter 734 of the Acts of the General Assembly of 2016, and Chapters 678 and 679 of the Acts of the General Assembly of 2018~~

~~Section 2~~

~~BY repealing and reenacting, with amendments,~~

~~Chapter 734 of the Acts of the General Assembly of 2016, as amended by Chapters 678 and 679 of the Acts of the General Assembly of 2018~~

~~Section 4~~

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

Article – Transportation

21–314.

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

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

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

~~(i)~~ **(1)** A bus;

~~(ii)~~ **(2)** A motorcycle;

~~(iii)~~ **(3)** A plug-in electric drive vehicle displaying a valid permit issued under § 25–108 of this article; and

~~(iv)~~ **(4)** A tow truck that is properly registered in accordance with § 13–920 of this article and is using any visual signal that meets the requirements of § 22–218 of this article while responding to a call for service if an appropriate law enforcement agency has authorized the tow truck operator to use HOV lanes.

~~(2) A qualified hybrid vehicle displaying a valid permit issued under § 25–108 of this article may be driven in the portion of U.S. Route 50 designated as an HOV~~

~~lane, between Interstate 95/Interstate 495 and U.S. Route 301, at all times regardless of the number of passengers in or on the vehicle.~~

25-108.

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

(b) This section applies only to:

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

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

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

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

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

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

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

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

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

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

5 ~~Chapter 492 of the Acts of 2010, as amended by Chapters 64 and 65 of the Acts of~~
 6 ~~2013, Chapter 734 of the Acts of 2016, and Chapters 678 and 679 of the Acts of 2018~~

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11 ~~Chapter 734 of the Acts of 2016, as amended by Chapters 678 and 679 of the Acts~~
 12 ~~of 2018~~

13 ~~SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect~~
 14 ~~October 1, 2016. Section 2 of this Act shall remain effective for a period of [6] 2 years AND~~
 15 ~~364 DAYS and, at the end of September [30] 29, [2022] 2019, with no further action~~
 16 ~~required by the General Assembly, Section 2 of this Act shall be abrogated and of no further~~
 17 ~~force and effect.~~

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect ~~July~~
 19 ~~±~~ September 29, 2019.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.