

HOUSE BILL 123

R5

EMERGENCY BILL
(PRE-FILED)

3lr0468

By: **Delegate Fraser-Hidalgo**

Requested: September 28, 2022

Introduced and read first time: January 11, 2023

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

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

3 FOR the purpose of authorizing certain plug-in electric drive vehicles for which a permit
4 has been obtained from the Motor Vehicle Administration to use high occupancy
5 vehicle (HOV) lanes regardless of the number of passengers in the vehicles; and
6 generally relating to the use of HOV lanes by plug-in electric drive vehicles.

7 BY adding to

8 Article – Transportation

9 Section 25-108

10 Annotated Code of Maryland

11 (2020 Replacement Volume and 2022 Supplement)

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

14 **Article – Transportation**

15 **25-108.**

16 **(A) IN THIS SECTION, “HOV LANE” MEANS A HIGH OCCUPANCY VEHICLE**
17 **LANE DESIGNATED BY THE STATE HIGHWAY ADMINISTRATION WHOSE USE IS**
18 **RESTRICTED BY A TRAFFIC CONTROL DEVICE DURING SPECIFIED TIMES TO**
19 **VEHICLES CARRYING AT LEAST A SPECIFIED NUMBER OF OCCUPANTS.**

20 **(B) THIS SECTION APPLIES ONLY TO A PLUG-IN ELECTRIC DRIVE VEHICLE**
21 **THAT HAS A MAXIMUM SPEED CAPABILITY OF AT LEAST 65 MILES PER HOUR.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(C) A PLUG-IN ELECTRIC DRIVE VEHICLE FOR WHICH A PERMIT HAS BEEN**
2 **APPLIED FOR AND OBTAINED FROM THE ADMINISTRATION UNDER THIS SECTION**
3 **MAY USE AN HOV LANE AT ALL TIMES REGARDLESS OF THE NUMBER OF**
4 **PASSENGERS IN THE VEHICLE.**

5 **(D) (1) THE ADMINISTRATION, THE STATE HIGHWAY ADMINISTRATION,**
6 **AND THE DEPARTMENT OF STATE POLICE SHALL CONSULT TO DESIGN A PERMIT TO**
7 **DESIGNATE A VEHICLE AS A PLUG-IN ELECTRIC DRIVE VEHICLE AUTHORIZED TO**
8 **USE AN HOV LANE.**

9 **(2) THE ADMINISTRATION MAY CHARGE A FEE, NOT TO EXCEED \$20,**
10 **FOR ISSUING A PERMIT UNDER THIS SECTION.**

11 **(3) THE ADMINISTRATION, ON THE RECOMMENDATION OF THE**
12 **STATE HIGHWAY ADMINISTRATION, MAY LIMIT THE NUMBER OF PERMITS ISSUED**
13 **TO ENSURE HOV LANE OPERATIONS ARE NOT DEGRADED TO AN UNACCEPTABLE**
14 **LEVEL.**

15 **(E) ON OR BEFORE JANUARY 1 EACH YEAR, THE ADMINISTRATION AND THE**
16 **STATE HIGHWAY ADMINISTRATION JOINTLY SHALL REPORT TO THE GOVERNOR**
17 **AND, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE**
18 **GENERAL ASSEMBLY ON THE EFFECT OF THE USE OF THE PLUG-IN ELECTRIC DRIVE**
19 **VEHICLE PERMITS ISSUED UNDER THIS SECTION ON THE OPERATION OF HOV**
20 **LANES IN THE STATE.**

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency
22 measure, is necessary for the immediate preservation of the public health or safety, has
23 been passed by a yea and nay vote supported by three-fifths of all the members elected to
24 each of the two Houses of the General Assembly, and shall take effect from the date it is
25 enacted. It shall remain effective through September 30, 2035, and, at the end of
26 September 30, 2035, this Act, with no further action required by the General Assembly,
27 shall be abrogated and of no further force and effect.