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March 22, 2023

The Honorable William C. Smith  
Chair, Senate Judicial Proceedings Committee  
2 East, Miller Senate Office Building  
Annapolis, MD 21401

***Re: Letter of Information – House Bill 123 – Vehicle Laws – HOV Lanes – Plug-In  
Electric Drive Vehicles***

Dear Chair Smith and Committee Members:

The Maryland Department of Transportation (MDOT) takes no position on House Bill 123 but offers the following information for the Committee's consideration.

The United States Code permits states to allow certain single-occupant vehicles not otherwise exempt to use high-occupancy vehicle (HOV) lanes under a state established program. Plug-in electric drive vehicles are authorized under federal law to use HOV lanes through September 29, 2025. However, under Maryland law, the authorization for these vehicles to use HOV lanes expired on September 30, 2022.

House Bill 123 is a positive step in recognition of the increasing popularity and use of plug-in electric drive vehicles, as well as their value from an environmental perspective. The use of HOV lanes by registered plug-in electric vehicles, which are a popular and growing segment of the alternative fuel vehicle market, both increases the desirability of these vehicles and results in reduced emissions. So long as the HOV lanes are not degraded, the HOV permit program encourages the continued adaptation of electric drive vehicles by Marylanders as the State works towards a carbon-neutral future.

The Maryland Department of Transportation respectfully requests that the Committee consider this information when deliberating House Bill 123.

Respectfully submitted,

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