

ASSEMBLY BILL

No. 2617

Introduced by Assembly Member Duvall

February 22, 2008

An act to amend Section 21655.5 of the Vehicle Code, relating to highways.

LEGISLATIVE COUNSEL'S DIGEST

AB 2617, as introduced, Duvall. Highways: high-occupancy vehicle lanes.

Existing law authorizes the establishment of highway lanes for the exclusive or preferential use of high-occupancy vehicles, as prescribed.

This bill would make technical, nonsubstantive changes to these provisions.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 21655.5 of the Vehicle Code is amended
2 to read:
3 21655.5. (a) The Department of Transportation and local
4 authorities, with respect to highways under their respective
5 jurisdictions, may authorize or permit exclusive or preferential use
6 of highway lanes for high-occupancy vehicles. Prior to establishing
7 the lanes, competent engineering estimates shall be made of the
8 effect of the lanes on safety, congestion, and highway capacity.
9 (b) (1) The Department of Transportation and local authorities,
10 with respect to highways under their respective jurisdictions, shall

1 place and maintain, or cause to be placed and maintained, signs
2 and other official traffic control devices to designate the exclusive
3 or preferential lanes, to advise motorists of the applicable vehicle
4 occupancy levels, and, except where ramp metering and bypass
5 lanes are regulated with the activation of traffic signals, to advise
6 motorists of the hours of high-occupancy vehicle usage. No

7 (2) A person shall *not* drive a vehicle upon those lanes except
8 in conformity with the instructions imparted by the official traffic
9 control devices. A motorcycle, a mass transit vehicle, or a
10 paratransit vehicle that is clearly and identifiably marked on all
11 sides of the vehicle with the name of the paratransit provider may
12 be operated upon those exclusive or preferential use lanes unless
13 specifically prohibited by a traffic control device.

14 (c) When responding to an existing emergency or breakdown
15 in which a mass transit vehicle is blocking an exclusive or
16 preferential use lane, a clearly marked mass transit vehicle, mass
17 transit supervisor’s vehicle, or mass transit maintenance vehicle
18 that is responding to the emergency or breakdown may be operated
19 in the segment of the exclusive or preferential use lane being
20 blocked by the mass transit vehicle, regardless of the number of
21 persons in the vehicle responding to the emergency or breakdown,
22 if both vehicles are owned or operated by the same agency, and
23 that agency provides public mass transit services.

24 (d) For purposes of this section, a “paratransit vehicle” is defined
25 in Section 462.

26 (e) For purposes of this section, a “mass transit vehicle” means
27 a transit bus regularly used to transport paying passengers in mass
28 transit service.

29 (f) It is the intent of the Legislature, in amending this section,
30 to stimulate and encourage the development of ways and means
31 of relieving traffic congestion on California highways and, at the
32 same time, to encourage individual citizens to pool their vehicular
33 resources and thereby conserve fuel and lessen emission of air
34 pollutants.

35 (g) The provisions of this section regarding mass transit vehicles
36 and paratransit vehicles shall only apply if the Director of
37 Transportation determines that the application will not subject the
38 state to a reduction in the amount of federal aid for highways.

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