

**ASSEMBLY BILL**

**No. 1298**

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**Introduced by Assembly Member Blumenfield**

February 18, 2011

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An act to amend Section 149 of the Streets and Highways Code, relating to high-occupancy vehicle lanes.

LEGISLATIVE COUNSEL'S DIGEST

AB 1298, as introduced, Blumenfield. High-occupancy vehicle lanes.

Existing law authorizes the Department of Transportation to construct exclusive or preferential lanes for buses only or for buses and other high-occupancy vehicles and requires that, prior to constructing those lanes, the department conduct competent engineering estimates of the effect of those lanes on safety, congestion, and highway capacity.

This bill would require the department to conduct those engineering estimates with respect to the effect on congestion mitigation and would make grammatical, nonsubstantive changes to those provisions.

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

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

1 SECTION 1. Section 149 of the Streets and Highways Code  
2 is amended to read:

3 149. The department may construct exclusive or preferential  
4 lanes for buses only or for buses and other high-occupancy  
5 vehicles, and may authorize or permit ~~such~~ *that* exclusive or  
6 preferential use of designated lanes on existing highways that are  
7 part of the State Highway System. Prior to constructing ~~such~~ *those*

1 lanes, the department shall conduct competent engineering  
2 estimates of the effect of ~~such~~ *those* lanes on safety, congestion  
3 *mitigation*, and highway capacity.

4 To the extent they are available, the department may apply for  
5 and use federal aid funds appropriated for the design, construction,  
6 and use of ~~such~~ *those* exclusive or preferential lanes, but may also  
7 use other State Highway Account funds, including other federal  
8 aid funds, for those purposes where proper and desirable.

9 This section shall be known and may be cited as the Carrell Act.