

AMENDED IN ASSEMBLY MARCH 14, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 1535

Introduced by Assembly Member Halderman
(Coauthor: Assembly Member Jeffries)

January 24, 2012

An act to amend Section 21655.5 of the Vehicle Code, relating to ~~transportation~~ *vehicles*.

LEGISLATIVE COUNSEL'S DIGEST

AB 1535, as amended, Halderman. ~~Highway signs: high-occupancy vehicle lanes.~~ *Vehicles: high-occupancy vehicle lanes.*

Existing law directs the Department of Transportation and certain local authorities to erect and maintain signage along state and county highways that designate certain traffic lanes as high-occupancy vehicle (HOV) lanes and specify conditions for their use.

This bill would require the department or *a* local authority, when replacing signs designating HOV lane use in an area that permits motorcycles to use those lanes, to include language on the new sign stating that motorcycles are permitted in the HOV lanes.

Because this bill would increase the duties of local authorities, it would create a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

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

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
11 place and maintain, or cause to be placed and maintained, signs
12 and other official traffic control devices to designate the exclusive
13 or preferential lanes, to advise motorists of the applicable vehicle
14 occupancy levels, and, except where ramp metering and bypass
15 lanes are regulated with the activation of traffic signals, to advise
16 motorists of the hours of high-occupancy vehicle usage. ~~No~~A
17 person shall *not* drive a vehicle upon those lanes except in
18 conformity with the instructions imparted by the official traffic
19 control devices. A motorcycle, a mass transit vehicle, or a
20 paratransit vehicle that is clearly and identifiably marked on all
21 sides of the vehicle with the name of the paratransit provider may
22 be operated upon those exclusive or preferential use lanes unless
23 specifically prohibited by a traffic control device.
24 (2) The department or a local authority, ~~when~~ *if* replacing a sign
25 designating high-occupancy vehicle (HOV) lane usage in an area
26 that permits motorcycles to use the HOV lane, shall include
27 language on the new sign indicating that motorcycles are permitted
28 to use the HOV lane.
29 (c) When responding to an existing emergency or breakdown
30 in which a mass transit vehicle is blocking an exclusive or
31 preferential use lane, a clearly marked mass transit vehicle, mass
32 transit supervisor’s vehicle, or mass transit maintenance vehicle
33 that is responding to the emergency or breakdown may be operated
34 in the segment of the exclusive or preferential use lane being
35 blocked by the mass transit vehicle, regardless of the number of

1 persons in the vehicle responding to the emergency or breakdown,
2 if both vehicles are owned or operated by the same agency, and
3 that agency provides public mass transit services.

4 (d) For purposes of this section, a “paratransit vehicle” ~~is~~ *has*
5 *the same meaning as that term is defined in Section 462.*

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

9 (f) It is the intent of the Legislature, in amending this section,
10 to stimulate and encourage the development of ways and means
11 of relieving traffic congestion on California highways and, at the
12 same time, to encourage individual citizens to pool their vehicular
13 resources and thereby conserve fuel and lessen emission of air
14 pollutants.

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

19 SEC. 2. If the Commission on State Mandates determines
20 that this act contains costs mandated by the state, reimbursement
21 to local agencies and school districts for those costs shall be made
22 pursuant to Part 7 (commencing with Section 17500) of Division
23 4 of Title 2 of the Government Code.