

Introduced by Senator Rainey

March 9, 1998

Senate Concurrent Resolution No. 78—Relative to high-occupancy vehicle lanes.

LEGISLATIVE COUNSEL'S DIGEST

SCR 78, as introduced, Rainey. High-occupancy vehicle lanes: study.

This measure would request the Department of Transportation, the Metropolitan Transportation Commission, and the Department of the California Highway Patrol to jointly conduct a study of a specified demonstration project involving a new high-occupancy vehicle lane on Interstate 80 and would require the Department of Transportation to make available to the public copies of the completed study. The bill also would request that future decisions concerning high occupancy vehicle lanes consider basing those decisions on established criteria and specific scientific data.

Fiscal committee: yes.

1 WHEREAS, Interstate 80 between the Carquinez
2 Bridge and the San Francisco-Oakland Bay Bridge is a
3 vital transportation corridor and is the most congested
4 freeway in the Bay Area; and

5 WHEREAS, The Department of Transportation has
6 added a new high-occupancy vehicle (HOV) lane to
7 alleviate the congestion in order to promote the welfare,
8 safety, and convenience of motorists; and



1 WHEREAS, Certain cities along the Interstate 80
2 corridor have threatened litigation to prevent this
3 freeway-widening project from proceeding and have
4 demanded certain concessions in order to drop the threat
5 of this lawsuit; and

6 WHEREAS, One of these concessions was to create a
7 “demonstration project” that would restrict the use of the
8 west-bound segment of the new HOV lane, between the
9 Distribution Center and the Richmond Parkway, to
10 vehicles with three or more persons during the hours of
11 5 a.m. to 7 p.m.; and

12 WHEREAS, This concession would result in this HOV
13 lane having the longest and most restrictive hours of
14 operation in the Bay Area; and

15 WHEREAS, All other Bay Area HOV lanes are
16 restricted to use by carpoolers during peak congestion
17 hours only; and

18 WHEREAS, Most other Bay Area HOV lanes may be
19 used by vehicles with two or more persons; and

20 WHEREAS, The public has expressed confusion over
21 the discrepancies and inconsistencies of the proposed
22 Interstate 80 HOV lane’s hours of operation, and the
23 Department of the California Highway Patrol is
24 concerned about the safety risks this confusion may cause;
25 and

26 WHEREAS, Bay Area courts have expressed concern
27 over the inconsistency of HOV lanes, and have indicated
28 that they may dismiss HOV-lane citations if the
29 inconsistencies are shown to cause confusion for
30 motorists; and

31 WHEREAS, The justification for this demonstration
32 project is not based on any established criteria, extensive
33 research, or scientific data; and it has not been effectively
34 demonstrated that operating HOV lanes during
35 noncommute hours encourages carpooling or reduces
36 congestion; and

37 WHEREAS, The demonstration project assurances
38 adopted by the Metropolitan Transportation Commission
39 state that the project shall continue for a period of 18
40 months, unless the operation demonstrates that the



1 operational integrity is seriously impaired; now,
2 therefore, be it

3 *Resolved by the Senate of the State of California, the*
4 *Assembly thereof concurring,* That the Department of
5 Transportation, the Metropolitan Transportation
6 Commission, and the Department of the California
7 Highway Patrol are hereby requested to jointly conduct
8 a thorough and comprehensive study of the
9 demonstration project, to be completed as soon as
10 feasible, but not later than six months after the HOV
11 lane's opening; and be it further

12 *Resolved,* That the study analyze the usage of the new
13 HOV lane and consider whether the restrictions
14 significantly change behavior and encourage carpooling
15 during both commute and noncommute hours; and be it
16 further

17 *Resolved,* That in weighing the costs of the
18 demonstration project, the study consider the possible
19 confusion to motorists of having a widely disparate
20 number of hours of operation for the HOV lane under this
21 demonstration project compared to other HOV lanes in
22 the Bay Area; the possible confusion to motorists of
23 having disparate requirements for the number of people
24 per vehicle compared to most HOV lanes in the Bay Area;
25 the risk that confusion and inconsistency may undermine
26 the public's acceptance of HOV lanes; the
27 appropriateness of enacting longer HOV-lane hours
28 without established criteria or extensive research; and
29 the enforcement and safety concerns raised by the
30 Department of the California Highway Patrol; and be it
31 further

32 *Resolved,* That in weighing the benefits of the
33 demonstration project, the study consider the travel-time
34 savings and reductions in congestion of the corridor for
35 both commute and noncommute hours; and be it further

36 *Resolved,* That the demonstration project be
37 terminated in a timely fashion if the report concludes that
38 its costs outweigh its benefits; and be it further



1 *Resolved*, That the Department of Transportation
2 make available to the public copies of the study; and be
3 it further

4 *Resolved*, That the Department of Transportation,
5 local transportation agencies, and the Department of the
6 California Highway Patrol, in making future decisions
7 concerning HOV lanes, are hereby requested to base
8 those decisions on established criteria and scientific data
9 showing that the lanes will effectively increase the
10 utilization of the freeway and reduce congestion during
11 specific hours, without posing undue confusion or safety
12 risks to motorists; and be it further

13 *Resolved*, That the Secretary of the Senate transmit
14 copies of this resolution to the Director of Transportation,
15 the Commissioner of the Department of the California
16 Highway Patrol, and the Executive Director of the
17 Metropolitan Transportation Commission.

