

Introduced by Senator Solis

February 3, 1997

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

LEGISLATIVE COUNSEL'S DIGEST

SB 236, as amended, Solis. Vehicles: exclusive or preferential use lanes: mass transit vehicles.

Existing law authorizes the Department of Transportation and local authorities, with respect to highways under their respective jurisdictions, to authorize or permit exclusive or preferential use of highway lanes for high-occupancy vehicles. The department and local authorities are required to place and maintain signs and other official traffic control devices to designate the exclusive or preferential lanes, to advise motorists of the applicable vehicle occupancy levels, and, except where ramp metering and bypass lanes are regulated with the activation of traffic signals, to advise motorists of the hours of high-occupancy vehicle usage. Driving a vehicle upon those lanes except in conformity with the instructions imparted by the official traffic control devices, is prohibited. A motorcycle is authorized to be operated upon those exclusive or preferential use lanes unless specifically prohibited by a traffic control device.

This bill would authorize a mass transit vehicle, as defined, to be operated upon those exclusive or preferential lanes

unless specifically prohibited by a traffic control device, *if the Director of Transportation makes a specified determination.*

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 21655.5 of the Vehicle Code is
2 amended to read:

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

11 (b) The Department of Transportation and local
12 authorities, with respect to highways under their
13 respective jurisdictions, shall place and maintain, or cause
14 to be placed and maintained, signs and other official
15 traffic control devices to designate the exclusive or
16 preferential lanes, to advise motorists of the applicable
17 vehicle occupancy levels, and, except where ramp
18 metering and bypass lanes are regulated with the
19 activation of traffic signals, to advise motorists of the
20 hours of high-occupancy vehicle usage. No person shall
21 drive a vehicle upon those lanes except in conformity
22 with the instructions imparted by the official traffic
23 control devices. A motorcycle or a mass transit vehicle
24 may be operated upon those exclusive or preferential use
25 lanes unless specifically prohibited by a traffic control
26 device.

27 (c) When responding to an existing emergency or
28 breakdown in which a mass transit vehicle is blocking an
29 exclusive or preferential use lane, a clearly marked mass
30 transit vehicle, mass transit supervisor's vehicle, or mass
31 transit maintenance vehicle that is responding to the
32 emergency or breakdown may be operated in the
33 segment of the exclusive or preferential use lane being



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

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

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

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

