

Introduced by Senator Huff

February 25, 2009

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

LEGISLATIVE COUNSEL'S DIGEST

SB 351, as introduced, Huff. Vehicles: High-occupancy vehicle lanes. Existing law authorizes local authorities and the Department of Transportation to establish exclusive or preferential use of highway lanes for high-occupancy vehicles.

This bill would make a technical, nonsubstantive change to that provision of law.

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~~ *Before*
7 establishing the lanes, competent engineering estimates shall be
8 made of the effect of the lanes on safety, congestion, and highway
9 capacity.
10 (b) The Department of Transportation and local authorities, with
11 respect to highways under their respective jurisdictions, shall place
12 and maintain, or cause to be placed and maintained, signs and other

1 official traffic control devices to designate the exclusive or
2 preferential lanes, to advise motorists of the applicable vehicle
3 occupancy levels, and, except where ramp metering and bypass
4 lanes are regulated with the activation of traffic signals, to advise
5 motorists of the hours of high-occupancy vehicle usage. ~~No~~ A
6 person shall *not* drive a vehicle upon those lanes except in
7 conformity with the instructions imparted by the official traffic
8 control devices. A motorcycle, a mass transit vehicle, or a
9 paratransit vehicle that is clearly and identifiably marked on all
10 sides of the vehicle with the name of the paratransit provider may
11 be operated upon those exclusive or preferential use lanes unless
12 specifically prohibited by a traffic control device.

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

23 (d) For purposes of this section, a "paratransit vehicle" is defined
24 in Section 462.

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

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

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