

HOUSE BILL 123

R5

EMERGENCY BILL
ENROLLED BILL

(3lr0468)

— *Environment and Transportation/Judicial Proceedings* —

Introduced by **Delegate Fraser-Hidalgo**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Vehicle Laws – HOV Lanes – Plug-In Electric Drive Vehicles**

3 FOR the purpose of authorizing certain plug-in electric drive vehicles for which a permit
4 has been obtained from the Motor Vehicle Administration to use high occupancy
5 vehicle (HOV) lanes regardless of the number of passengers in the vehicles; and
6 generally relating to the use of HOV lanes by plug-in electric drive vehicles.

7 BY adding to

8 Article – Transportation

9 Section 25–108

10 Annotated Code of Maryland

11 (2020 Replacement Volume and 2022 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
13 That the Laws of Maryland read as follows:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments.



Article – Transportation

25–108.

(A) IN THIS SECTION, “HOV LANE” MEANS A HIGH OCCUPANCY VEHICLE LANE DESIGNATED BY THE STATE HIGHWAY ADMINISTRATION WHOSE USE IS RESTRICTED BY A TRAFFIC CONTROL DEVICE DURING SPECIFIED TIMES TO VEHICLES CARRYING AT LEAST A SPECIFIED NUMBER OF OCCUPANTS.

(B) THIS SECTION APPLIES ONLY TO A PLUG–IN ELECTRIC DRIVE VEHICLE THAT HAS A MAXIMUM SPEED CAPABILITY OF AT LEAST 65 MILES PER HOUR.

(C) A PLUG–IN ELECTRIC DRIVE VEHICLE FOR WHICH A PERMIT HAS BEEN APPLIED FOR AND OBTAINED FROM THE ADMINISTRATION UNDER THIS SECTION MAY USE AN HOV LANE AT ALL TIMES REGARDLESS OF THE NUMBER OF PASSENGERS IN THE VEHICLE.

(D) (1) THE ADMINISTRATION, THE STATE HIGHWAY ADMINISTRATION, AND THE DEPARTMENT OF STATE POLICE ~~SHALL~~ MAY CONSULT TO DESIGN A PERMIT TO DESIGNATE A VEHICLE AS A PLUG–IN ELECTRIC DRIVE VEHICLE AUTHORIZED TO USE AN HOV LANE.

(2) THE ADMINISTRATION ~~MAY~~ SHALL CHARGE A FEE, NOT TO EXCEED \$20, FOR ISSUING A PERMIT UNDER THIS SECTION.

(3) THE ADMINISTRATION, ON THE RECOMMENDATION OF THE STATE HIGHWAY ADMINISTRATION, MAY LIMIT THE NUMBER OF PERMITS ISSUED TO ENSURE HOV LANE OPERATIONS ARE NOT DEGRADED TO AN UNACCEPTABLE LEVEL.

(E) ON OR BEFORE JANUARY 1 EACH YEAR, THE ADMINISTRATION AND THE STATE HIGHWAY ADMINISTRATION JOINTLY SHALL REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2–1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY ON THE EFFECT OF THE USE OF THE PLUG–IN ELECTRIC DRIVE VEHICLE PERMITS ISSUED UNDER THIS SECTION ON THE OPERATION OF HOV LANES IN THE STATE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a ye and nay vote supported by three–fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted. It shall remain effective through September 30, ~~2025~~ 2025, and, at the end of

1 September 30, ~~2025~~ 2025, this Act, with no further action required by the General
2 Assembly, shall be abrogated and of no further force and effect.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.