

Chapter 121

**(House Bill 123)**

AN ACT concerning

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

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

BY adding to

Article – Transportation

Section 25–108

Annotated Code of Maryland

(2020 Replacement Volume and 2022 Supplement)

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

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

**Approved by the Governor, April 24, 2023.**