

109TH CONGRESS  
1ST SESSION

# S. 553

To amend title 23, United States Code, to provide for HOV-lane exemptions for low-emission and hybrid vehicles.

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IN THE SENATE OF THE UNITED STATES

MARCH 8, 2005

Mrs. FEINSTEIN (for herself and Mr. ALLEN) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

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## A BILL

To amend title 23, United States Code, to provide for HOV-lane exemptions for low-emission and hybrid vehicles.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. HOV-LANE EXEMPTION FOR LOW-EMISSION**  
4       **AND HYBRID VEHICLES**

5       Section 102(a)(2) of title 23, United States Code, is  
6       amended—

7               (1) by striking the first sentence and inserting  
8       the following:

9               “(A) IN GENERAL.—Notwithstanding para-  
10       graph (1), a State may permit a vehicle with

fewer than 2 occupants to operate in high occupancy vehicle lanes if the vehicle is—

“(i)(I) certified as meeting the inherently low-emission vehicle evaporative emission standard under part 88 of title 40, Code of Federal Regulations (or a successor regulation) (including a vehicle produced before or during the 2004 model year that meets that standard); and

“(II) labeled in accordance with section 88.312–93(c) of title 40, Code of Federal Regulations (or a successor regulation); or

“(ii) a motor vehicle that—

“(I) draws propulsion energy from onboard sources of stored energy produced or stored by—

“(aa) an internal combustion or heat engine using combustible fuel; and

“(bb) a rechargeable energy storage system that provides at least 5 percent of the maximum available power; and

1 “(II) meets such other require-  
2 ments or criteria as may be specified  
3 by the State.”; and

4 (2) in the second sentence, by striking “Such  
5 permission” and inserting the following:

6 “(B) REVOCATION.—The permission under  
7 subparagraph (A)”.

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