

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.

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

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

1 fewer than 2 occupants to operate in high occu-
2 pancy vehicle lanes if the vehicle is—

3 “(i)(I) certified as meeting the inher-
4 ently low-emission vehicle evaporative emis-
5 sion standard under part 88 of title 40,
6 Code of Federal Regulations (or a suc-
7 cessor regulation) (including a vehicle pro-
8 duced before or during the 2004 model
9 year that meets that standard); and

10 “(II) labeled in accordance with sec-
11 tion 88.312–93(c) of title 40, Code of Fed-
12 eral Regulations (or a successor regula-
13 tion); or

14 “(ii) a motor vehicle that—

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

18 “(aa) an internal combus-
19 tion or heat engine using com-
20 bustible fuel; and

21 “(bb) a rechargeable energy
22 storage system that provides at
23 least 5 percent of the maximum
24 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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