

2005 ASSEMBLY BILL 753

October 13, 2005 – Introduced by Representatives WIECKERT, MOLEPSKE, OWENS, BERCEAU, TOWNSEND and DAVIS, cosponsored by Senator COWLES. Referred to Committee on Transportation.

1 **AN ACT** *to amend* 84.01 (27), 340.01 (28q) and 349.22 (1); and *to create* 84.001
2 (1p) and 340.01 (23i) of the statutes; **relating to:** car pool vehicle lanes.

Analysis by the Legislative Reference Bureau

Under current law, the Department of Transportation (DOT) is authorized to construct highway control devices, bus passenger loading areas, and terminal facilities to serve bus, car pool and other public mass transportation passengers and, with the approval of the local authority charged with the maintenance of the highway facility, preferential lanes for car pool vehicles. A car pool vehicle is a small truck or automobile transporting two or more persons, or a motorcycle.

Under this bill, if DOT designates certain lanes, entrances, or exits on a highway for use by buses, other public mass transit vehicles, or car pool vehicles only, DOT must also allow the operator of a hybrid–electric motor vehicle to use the lane, entrance, or exit, without regard to the number of passengers in the hybrid–electric motor vehicle. The bill defines a hybrid–electric motor vehicle as a vehicle that has a chemically fueled internal combustion engine which is capable of operating on electricity and gasoline, one or more alternative fuels, or diesel fuel, or by means of a gas turbine. The bill has a sunset date of January 1, 2016.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 **SECTION 1.** 84.001 (1p) of the statutes is created to read:

ASSEMBLY BILL 753**SECTION 1**

1 84.001 (1p) “Hybrid–electric vehicle” has the meaning given in s. 16.045 (1) (e).

2 **SECTION 2.** 84.01 (27) of the statutes is amended to read:

3 84.01 (27) URBAN MASS TRANSIT SYSTEMS. The department may encourage
4 generally and provide, without limitation by enumeration, for the construction of
5 exclusive or preferential bus lanes, highway control devices, bus passenger loading
6 areas and terminal facilities, including shelters, fringe and corridor parking
7 facilities to serve bus, car pool, hybrid–electric vehicles, and other public mass
8 transportation passengers and, with the approval of the local authority charged with
9 the maintenance of the highway facility, preferential lanes for car pool vehicles. All
10 moneys granted or allotted to this state as federal aid for the purposes specified in
11 this subsection shall be expended by the department in accordance with the act of
12 congress relating to such federal aid funds.

13 **SECTION 3.** 340.01 (23i) of the statutes is created to read:

14 340.01 (23i) “Hybrid–electric vehicle” has the meaning given in s. 16.045 (1)
15 (e).

16 **SECTION 4.** 340.01 (28q) of the statutes is amended to read:

17 340.01 (28q) “Mass transit way” means that portion of the highway designated
18 for the primary use of mass transit vehicles, hybrid–electric vehicles, or car pool
19 vehicles or ~~both~~ any combination thereof, and the incidental use of other permitted
20 vehicles.

21 **SECTION 5.** 349.22 (1) of the statutes is amended to read:

22 349.22 (1) The department with respect to the state trunk highway system may
23 by order, and any local authority with respect to highways under its jurisdiction may
24 by ordinance, designate a portion of any highway under its jurisdiction as a mass
25 transit way, designate the type and character of vehicles which may be operated

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1 thereon and specify those conditions under which any of said vehicles may be
2 operated thereon. If car pool vehicles are permitted to use the mass transit way, the
3 authority shall permit, until January 1, 2016, hybrid–electric vehicles to use the
4 mass transit way regardless of the number of passengers in the hybrid–electric
5 vehicle, and the authority designating the mass transit way may specify the
6 minimum number of occupants, including the operator, in the car pool vehicles. In
7 this section, the department’s authority to designate a mass transit way is limited
8 to freeway entrance ramps and state trunk highways connecting with or extending
9 a mass transit way designated by a local authority.

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(END)