

2005 DRAFTING REQUEST

Bill

Received: **06/20/2005**

Received By: **phurley**

Wanted: **As time permits**

Identical to LRB:

For: **Steve Wieckert (608) 266-3070**

By/Representing:

This file may be shown to any legislator: **NO**

Drafter: **phurley**

May Contact:

Addl. Drafters:

Subject: **Transportation - traffic laws**

Extra Copies: **ARG**

Submit via email: **YES**

Requester's email: **Rep.Wieckert@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

High occupancy vehicle lanes

Instructions:

Hybrid cars can use these, too

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?							
/1	phurley 06/23/2005	kfollett 07/20/2005	pgreensl 07/21/2005	_____	lnorthro 07/21/2005	lnorthro 09/16/2005	
	phurley 09/27/2005	kfollett 10/05/2005		_____			
/2			chaugen 10/05/2005	_____	sbasford 10/05/2005	sbasford 10/05/2005	

FE Sent For:

<END>

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/1	phurley 06/23/2005	kfollett 07/20/2005	pgreensl 07/21/2005	<i>CH 10-5</i> <i>3/2/05</i>	lnorthro 07/21/2005	lnorthro 09/16/2005	
FE Sent For:		<i>12/15/05</i> <i>10/5</i>	<i>ch</i> <i>10-5</i>	<END>			

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12 k/f
10/50

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/?	phurley	11/gf 7/20	1/20 ps	1/21 ps			

FE Sent For:

<END>

16-095 (1)(e)

(7) For the purposes of this subsection, where any provisions require the Department of Motor Vehicle Safety to give notice to a person, which notice affects such person's motor vehicle license plate, the mailing of such notice and the name and address shown on the notice of overdue assessment citation supplied by the Department of Motor Vehicle Safety, as required by this subsection, shall be presumptive evidence that such person received the required notice."

SECTION 2.

Chapter 9 of Title 32 of the Official Code of Georgia Annotated, relating to mass transportation, is amended in Code Section 32-9-4, relating to designation of travel lanes and use of such lanes, by adding a new subsection (a.1) to read as follows:

"(a.1) Upon approval through either legislative action in the United States Congress or regulatory action by the United States Department of Transportation to permit hybrid vehicles with fewer than two occupants to operate in a high occupancy vehicle lane, the department shall authorize hybrid vehicles, as defined in Code Section 40-2-76, to use the travel lanes designated for such vehicles as provided in paragraph (4) of subsection (a) of this Code section."

SECTION 3.

Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles and traffic, is amended in Code Section 40-2-76, relating to alternative fueled vehicle license plates, by striking subsection (a) and inserting in its place the following:

"(a) As used in this Code section, the term:

(1) 'Alternative fuel' means methanol, denatured ethanol, and other alcohols; mixtures containing 85 percent or more or such other percentage, but not less than 70 percent, as determined by the United States secretary of energy, by rule as it existed on January 1, 1997, to provide for requirements relating to cold start, safety, or vehicle functions, by volume of methanol, denatured ethanol, and other alcohols with gasoline or other fuels; natural gas; liquefied petroleum gas; hydrogen; coal derived liquid fuels; fuels other than alcohol derived from biological materials; electricity including electricity from solar energy; and any other fuel the United States secretary of energy determined by rule as it existed on January 1, 1997, is substantially not petroleum and would yield substantial energy security benefits and substantial environmental benefits.

(2) 'Alternative fueled vehicle' means:

(A) Any ~~any~~ vehicle fueled by alternative fuel as defined in paragraph (1) of this subsection; or

(B) A hybrid vehicle, which means a motor vehicle which draws propulsion energy from onboard sources of stored energy which include an internal combustion or heat engine using combustible fuel and a rechargeable energy storage system; and, in the case of a passenger automobile or light truck, means for any 2000 and later model, a vehicle which has received a certificate of conformity under the Clean Air Act, 42 U.S.C. Section 7401, et seq., and meets or exceeds the equivalent qualifying California low-emission vehicle standard under Section 243(e)(2) of the Clean Air Act, 42 U.S.C. Section 7583(c)(2), for that make and model year or, for any 2004 and later model, a vehicle which has received a certificate that such vehicle meets or exceeds the Bin 5 Tier II emission level established in regulations

prescribed by the administrator of the Environmental Protection Agency under Section 202 (i) of the Clean Air Act, 42 U.S.C. Section 7521(i), for that make and model year vehicle and which achieves a composite label fuel economy greater than or equal to 1.5 times the Model Year 2002 EPA composite class average for the same vehicle class and which is made by a manufacturer."

SECTION 4.

Said title is further amended in Code Section 40-6-188, relating to highway work zones, by striking subsection (e) and inserting in its place the following:

"(e)(1) In order for a person to be cited or convicted for exceeding a speed limit, reduced or otherwise, in any highway work zone as provided in paragraph (2) of this subsection, there must be present in the highway work zone at the time of the offense the signage required by this Code section and either:

(A) Work zone personnel; or

(B) Barriers, on-site work vehicles, or shoulder or pavement drop offs that constitute a hazard to the traveling public.

(2) A person convicted of exceeding the speed limit, reduced or otherwise, in any highway work zone designated pursuant to this Code section ~~and identified at the time of the violation by such signage at the beginning of the highway work zone as required herein and, if such speed limit was reduced as provided by this Code section, by such signage at the beginning and in advance of such reduced speed zone to the extent required herein~~ shall be guilty of a misdemeanor of a high and aggravated nature and shall be punished by a fine of not less than \$100.00 nor more than \$2,000.00 or by imprisonment for a term not to exceed 12 months, or both. ~~The provisions of this subsection shall apply without regard to whether work zone personnel were present in the highway work zone when the violation occurred."~~

SECTION 5.

Article 2 of Chapter 14 of Title 40 of the Official Code of Georgia Annotated, relating to speed detection devices, is amended by striking Code Section 40-14-6, relating to required warning signs, and inserting in its place the following:

"40-14-6.

(a) Each county, municipality, college, and university using speed detection devices shall erect signs on every highway which comprises a part of the state highway system at that point on the highway which intersects the corporate limits of the municipality, the county boundary, or the boundary of the college or university campus. Such signs shall be at least ~~30~~ 24 by 30 inches in area and shall warn approaching motorists that speed detection devices are being employed. No such devices shall be used within 500 feet of any such warning sign erected pursuant to this subsection.

(b) In addition to the signs required under subsection (a) of this Code section, each county, municipality, college, and university using speed detection devices shall erect speed limit warning signs on every highway which comprises a part of the state highway system at that point on the highway which intersects the corporate limits of the municipality, the county boundary, or the boundary of the college or university campus. Such signs shall be at least ~~30~~ 24 by 30 inches in area, shall warn approaching motorists of changes in the speed limit, shall be visible plainly from every lane of traffic, shall be viewable in any traffic conditions,

Hurley, Peggy

From: Becher, Scott
Sent: Tuesday, June 21, 2005 7:01 PM
To: Hurley, Peggy
Subject: FW: GA HOV hybrid law

From: Anderson, Jason
Sent: Tuesday, June 21, 2005 9:37 AM
To: Becher, Scott
Subject: GA HOV hybrid law

Scott:

I think I was able to track down the law that you are looking for but I cannot find a scanned copy in pdf form that I could attach to this email. I was also unable to find a version of the act (03 Act 191) so I will direct you to the bill as passed, which you can find on the Georgia Assembly webpage.

Go to:

http://www.legis.state.ga.us/legis/2003_04/sum/hb719.htm

to see the relating clause and bill history. Clicking on the HB719 hyperlink at the top of the page will take you to a copy of the bill as passed.

As far as I can tell the law would only allow hybrids in HOV lanes if the U.S. Congress or DOT would permit such (see Section 2). I don't know why the state law would be contingent on a federal decision (highway funding maybe?) but it appears to have inspired 2005 House Resolution 14, requesting that Congress take the action required in HB719. You can find that resolution here:

http://www.legis.state.ga.us/legis/2005_06/sum/hr14.htm

This is the only mention I was able to find of hybrids and HOV lanes so I assume that this is the law you were referring to. If I am wrong or if we can do anything else for you, please let me know.

Jason Anderson
Legislative Analyst
WI Legislative Reference Bureau
One East Main, Suite 200
Madison, WI 53701
(608) 261-4454

7/25

PJH: kjf

2005 BILL

6-2305

Gen

1 AN ACT ...; relating to: car pool vehicle lanes

two

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 2 or more persons, or a motorcycle.

X
X

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

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

3 84.001 (1p) "Hybrid-electric vehicle" has the meaning given in s. 16.045 (1) (e).

BILL

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

2 84.01 (27) URBAN MASS TRANSIT SYSTEMS. The department may encourage
3 generally and provide, without limitation by enumeration, for the construction of
4 exclusive or preferential bus lanes, highway control devices, bus passenger loading
5 areas and terminal facilities, including shelters, fringe and corridor parking
6 facilities to serve bus, car pool, hybrid-electric vehicles, and other public mass
7 transportation passengers and, with the approval of the local authority charged with
8 the maintenance of the highway facility, preferential lanes for car pool vehicles. All
9 moneys granted or allotted to this state as federal aid for the purposes specified in
10 this subsection shall be expended by the department in accordance with the act of
11 congress relating to such federal aid funds.

History: 1971 c. 40, 125; 1973 c. 12; 1973 c. 243 s. 82; 1975 c. 189; 1977 c. 29 ss. 918 to 924, 1654 (1), (8) (a), (f), 1656 (43); 1977 c. 190, 272; 1979 c. 221, 314; 1981 c. 346 s. 38; 1983 a. 27, 130; 1985 a. 29, 300; 1987 a. 27; 1989 a. 31, 125, 345; 1993 a. 246; 1995 a. 225, 338; 1997 a. 27, 106; 1999 a. 9; 2001 a. 16.

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

13 340.01 (23i) “Hybrid-electric vehicle” has the meaning given in s. 16.045 (1)
14 (e).

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

16 340.01 (28q) “Mass transit way” means that portion of the highway designated
17 for the primary use of mass transit vehicles, hybrid-electric vehicles, or car pool
18 vehicles or ~~both~~ any combination thereof, and the incidental use of other permitted
19 vehicles.

History: 1971 c. 100 s. 23; 1971 c. 201, 211, 233, 277, 307; 1973 c. 86, 157, 182, 185, 272, 333, 335; 1973 c. 336 s. 79; 1975 c. 25, 120, 121, 136, 192, 199, 320, 326; 1975 c. 429 ss. 2m, 2r, 3, 4, 8, 9; 1977 c. 5; 1977 c. 29 ss. 1405 to 1410, 1654 (3); 1977 c. 30 s. 5; 1977 c. 43, 55, 57, 116, 193, 272, 288, 418; 1979 c. 36, 221; 1979 c. 333 s. 5; 1979 c. 345; 1981 c. 20, 159, 329; 1983 a. 27, 78, 124, 130, 175; 1983 a. 189 ss. 249, 329 (17m), (24); 1983 a. 223, 227, 243, 270, 457, 459; 1983 a. 512 s. 8; 1983 a. 538; 1985 a. 29, 65; 1985 a. 146 s. 8; 1985 a. 165, 187, 287; 1987 a. 259, 270, 349, 399; 1989 a. 31; 1989 a. 75 s. 1; 1989 a. 102; 1989 a. 105 ss. 13 to 30, 37, 41, 42; 1989 a. 134, 170; 1991 a. 39, 239, 269, 277, 316; 1993 a. 15, 16, 63, 159, 198, 213, 246, 260, 399, 436, 490; 1995 a. 27 s. 9145 (1); 1995 a. 36, 77, 113, 138, 225, 436, 448; 1997 a. 27, 164, 252, 277; 1999 a. 9, 31, 80, 85, 109, 140; 2001 a. 10, 16, 90, 102, 105, 109; 2003 a. 30, 33, 97, 192, 320, 321.

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

21 349.22 (1) The department with respect to the state trunk highway system may
22 by order, and any local authority with respect to highways under its jurisdiction may

BILL

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

12 History: 1973 c. 86; 1983 a. 130.

(END)

Barman, Mike

From: Field, Adam
Sent: Friday, September 16, 2005 9:10 AM
To: LRB.Legal
Subject: LRB 3231/1

Attachments: 05-32311.pdf

^②
Please jacket LRB 3131/1.



05-32311.pdf (14
KB)

Adam Field

Rep. Steve Wieckert Office
Wisconsin State Assembly
(608) 266-3070

Kreye, Joseph

From: Becher, Scott
Sent: Tuesday, September 27, 2005 9:38 AM
To: Kreye, Joseph
Subject: FW: LRB 3231/1 -- Cowles

Joe-
Could you change LRB 3231 to have a 10 year sunset.

Scott Becher
Rep. Wieckert

From: Stuart, Todd
Sent: Thursday, September 22, 2005 12:52 PM
To: Becher, Scott
Subject: LRB 3231/1 -- Cowles

Scott:

Cowles is interested in being a cosponsor, if not the lead on 3231/1.

He has one request, however. Would you entertain the idea of having a sunrise (or similar provision) of five or ten years? Cowles believes that if hybrid technology really takes off in that time frame and everybody starts driving one, then we'd have a problem if the a large percentage could use the HOV lane.

Let me know what you/your boss thinks. Thanks-

-TS

Todd C. Stuart
Office of State Senator Robert Cowles
608.266.0484 Office
608.267.0304 Fax
todd.stuart@legis.state.wi.us

2005 BILL

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 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:

BILL

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

BILL

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 hybrid-electric vehicles to use the mass transit way
4 regardless of the number of passengers in the hybrid-electric vehicle, and the
5 authority designating the mass transit way may specify the minimum number of
6 occupants, including the operator, in the car pool vehicles. In this section, the
7 department's authority to designate a mass transit way is limited to freeway
8 entrance ramps and state trunk highways connecting with or extending a mass
9 transit way designated by a local authority.

10 (END)



Today

2005 BILL

9-27-05

Regen

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

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

The bill has a sunset date of January 1, 2016.

BILL

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
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4 regardless of the number of passengers in the hybrid-electric vehicle, and the
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6 occupants, including the operator, in the car pool vehicles. In this section, the
7 department's authority to designate a mass transit way is limited to freeway
8 entrance ramps and state trunk highways connecting with or extending a mass
9 transit way designated by a local authority.

10 (END)

until January 1, 2016,