
Transportation Committee

HB 1710

Brief Description: Concerning high occupancy vehicle lane penalties.

Sponsors: Representatives Fey, Slatter, Wylie and Ortiz-Self; by request of Department of Transportation.

<p style="text-align: center;">Brief Summary of Bill</p> <ul style="list-style-type: none">Increases high-occupancy vehicle lane usage traffic infraction fines (from \$136) to \$245 for a first infraction, \$499 for the second infraction, and \$755 for third and subsequent infractions.

Hearing Date: 2/20/19

Staff: Jennifer Harris (786-7143).

Background:

High-Occupancy Vehicle Lanes.

The Washington State Department of Transportation (WSDOT) and local authorities are authorized to designate any portion of a highway under their respective jurisdictions for the exclusive or preferential use of: (1) public transportation vehicles; (2) motorcycles; (3) private motor vehicles carrying a specified minimum number of passengers; and (4) certain categories of private transportation provider vehicles if the vehicle has a carrying capacity of at least eight passengers. The portion of highways with these restricted usage rules are known as high-occupancy vehicle (HOV) lanes.

The WSDOT and local authorities have the ability to specify certain times of days or certain specified days during which the HOV restrictions are in effect. The WSDOT and local authorities are also authorized to prohibit the use of an HOV lane by private transportation provider vehicles when the average transit speed in the HOV lane fails to meet United States

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Department of Transportation standards (falling below 45 miles per hour at least 90 percent of the time during peak hours).

Under current state administrative rule, the following motor vehicles are authorized to use the HOV lanes on interstate highways, state highways, and ramps: (1) municipal transit vehicles; (2) buses with a carrying capacity of 16 or more people; (3) motorcycles; (4) all vehicles meeting specified HOV-lane occupancy requirements (except for trucks with more than a 10,000 pounds maximum operating weight rating); and (5) officially marked law enforcement and fire department vehicles equipped with emergency lights and sirens that are operated by on-duty state patrol or local law enforcement or local or special district fire department personnel.

High-Occupancy Toll Lanes.

High-occupancy toll (HOT) lanes and express toll lanes (ETLs) are types of HOV lanes. The Washington State Transportation Commission (Commission) sets toll rates, establishes exemptions from them, and makes adjustments as required by conditions. These exemptions can vary by tolled facility. With limited exceptions, exemptions that apply to HOT lanes and ETLs typically apply to vehicles permitted to use HOV lanes.

Unlawful Use of a Highway Lane.

Violation of a restriction on vehicle usage placed on an HOV lane, HOT lane, or ETL by a driver is a traffic infraction. The base penalty for this traffic infraction is \$48, as set by the Washington State Supreme Court by rule. The total amount assessed for this infraction, including fees and assessments, is \$136.

Summary of Bill:

The base penalty for the traffic infraction for violating a restriction on vehicle usage of an HOV lane, HOT lane, or ETL is raised as follows: (1) \$100 for a first offense; (2) \$225 for a second offense; and (3) \$350 for third and subsequent offenses. The total amount assessed for this infraction increases to: (1) \$242 for a first offense; (2) \$499 for a second offense; and (3) \$755 for third and subsequent offenses.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.