

SENATE BILL REPORT

SB 5695

As of February 28, 2019

Title: An act relating to high occupancy vehicle lane penalties.

Brief Description: Concerning high occupancy vehicle lane penalties.

Sponsors: Senators Liias, King, Zeiger, Saldaña and Kuderer; by request of Department of Transportation.

Brief History:

Committee Activity: Transportation: 2/05/19.

Brief Summary of Bill

- Increases the base penalty for the traffic infraction of violating the high occupancy vehicle minimum number of passengers requirement.

SENATE COMMITTEE ON TRANSPORTATION

Staff: Kim Johnson (786-7472)

Background: Current law allows the Washington State Department of Transportation (DOT) and local authorities to reserve portions of any highways under their jurisdiction as limited access facilities, or high occupancy vehicle (HOV) lanes. DOT and local authorities are currently authorized to give access to these limited access facilities to the following users:

- public transportation vehicles;
- motorcycles;
- private motor vehicles carrying a minimum of a specified number of passengers; and
- certain private transportation provider vehicles with the capacity to carry eight or more passengers if such use does not interfere with the efficiency, reliability, and safety of public transportation operations.

DOT has various types of HOV lanes on Interstate 5, Interstate 90, Interstate 405, State Route 16, State Route 167 and State Route 520. Standard HOV lanes are generally the inside, left lanes and are identified by signs along the highway and diamond symbols painted on the pavement. They are typically separated from the other lanes on the highway by a solid white line. The HOV lane requirement is either two or more, or three or more persons per

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vehicle, depending on the highway and time of day, or both. Motorcycles are allowed to use all standard HOV lanes.

The penalty for violating the passenger requirement is a traffic infraction with a total penalty of \$136.

Summary of Bill: The base penalty for violating the passenger requirement for an HOV lane is increased as follows:

Number of Violations	Base Penalty	Total Fine
First offense	\$100	\$242
Second offense	\$225	\$499
Third offense	\$350	\$755

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: I saw the news reports on the emphasis patrols for the HOV lanes. Just during the short time of the emphasis patrol, there were 17 people who got two tickets and one person who got three tickets. People who break the passenger restriction law on I-405 and SR 167 actually cause the toll rates to go up because of dynamic pricing. There should be an increasing fine if you try to cheat buy using a dummy to deceive law enforcement.

The current penalty provides little disincentive for violators. Only one in ten of our monitored HOV lanes met the performance standard in 2017. The goal of this bill is to deter violators and improve performance of the HOV lanes. We took a look at the ticket data to try to find repeat offenders. 208 people had four tickets, and 50 had five tickets. It is very difficult to catch repeat offenders. Enforcement is difficult when congestion is at its worse during commute times when violations are occurring at the highest rate.

Persons Testifying: PRO: Senator Marko Liias, Prime Sponsor; Travis Snell, Washington State DOT - Government Relations Liaison; Monica Alexander, Washington State Patrol.

Persons Signed In To Testify But Not Testifying: No one.