

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.

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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

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## 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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