

JAN 18 2008

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# A BILL FOR AN ACT

RELATING TO TRANSPORTATION.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. According to findings of R.L. Polk and Company,  
2 a worldwide automotive research organization, hybrid vehicles  
3 reduce smog pollution by ninety per cent or more compared with  
4 the cleanest conventional engine vehicles and consume  
5 significantly less fuel than vehicles powered by gasoline alone,  
6 important factors in reducing global warming pollutants. Since  
7 2003, Hawaii has consistently ranked among the top states in per  
8 capita hybrid sales.

9           The legislature finds that Hawaii residents should be  
10 encouraged to purchase hybrid vehicles in order to protect the  
11 environment by reducing emissions and pollutants. An important  
12 incentive would be to allow hybrid vehicles to utilize high  
13 occupancy vehicle lanes regardless of whether the vehicle  
14 contains the minimum amount of passengers to lawfully utilize  
15 the high occupancy vehicle lane.



1           The purpose of this Act is to allow hybrid vehicles to  
2 utilize high occupancy vehicle lanes without regard to the  
3 number of occupants in the vehicle.

4           SECTION 2. Section 291C-221, Hawaii Revised Statutes, is  
5 amended by adding a new definition to be appropriately inserted  
6 and to read as follows:

7           "Hybrid vehicle" means a vehicle that uses an on-board  
8 rechargeable energy storage system and a fuel-based power source  
9 (combustion engine) for vehicle propulsion. The rechargeable  
10 energy storage system generally operates by utilizing:

- 11           (1) Batteries to capture kinetic energy through  
12           regenerative braking; or
- 13           (2) The combustion engine to generate electricity to  
14           recharge the battery, or to feed power directly to the  
15           electric motor during cruising or light thrust on the  
16           accelerator.

17 The term "hybrid vehicle" includes petroleum-electric hybrid  
18 vehicles and hybrid electric vehicles (HEV)."

19           SECTION 3. Section 291C-221, Hawaii Revised Statutes, is  
20 amended by amending the definition of "High occupancy vehicle  
21 lane" to read as follows:



1        "High occupancy vehicle lane" means a designated lane of a  
2       laned roadway where the use of the designated lane is restricted  
3       to school buses, vehicles carrying at least the minimum number  
4       of persons designated by the director of transportation on  
5       official signs and other official traffic-control devices, [~~and~~  
6       hybrid vehicles, and to other vehicles as provided by rules  
7       adopted in accordance with chapter 91, or by county ordinance."

8       SECTION 4. Section 291C-222, Hawaii Revised Statutes, is  
9       amended as follows:

10       1. By amending subsection (a) to read:

11       "(a) The director of transportation by rules adopted in  
12       accordance with chapter 91, and the counties by ordinance, may  
13       designate high occupancy vehicle lanes as to roadways under  
14       their respective jurisdictions. The director of transportation  
15       by rules adopted in accordance with chapter 91, shall develop  
16       the means to identify hybrid vehicles, including but not limited  
17       to, the use of decals."

18       2. By amending subsection (d) to read:

19       "(d) A motorcycle or hybrid vehicle may use any high  
20       occupancy vehicle lane, regardless of the number of occupants."

21       SECTION 5. Statutory material to be repealed is bracketed  
22       and stricken. New statutory material is underscored.



1 SECTION 6. This Act shall take effect upon its approval.

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INTRODUCED BY:

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**Report Title:**

High Occupancy Vehicle Lanes; Hybrid Vehicles

**Description:**

Provides that high occupancy vehicle lanes may be used by hybrid vehicles.

