
HOUSE BILL 2038

State of Washington

61st Legislature

2009 Regular Session

By Representatives Roach, Haler, Kristiansen, Shea, Newhouse, McCune, Kretz, and Kelley

Read first time 02/06/09. Referred to Committee on Transportation.

1 AN ACT Relating to opening high occupancy vehicle lanes during
2 nonpeak hours; and amending RCW 46.61.165 and 47.52.025.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 46.61.165 and 1999 c 206 s 1 are each amended to read
5 as follows:

6 (1) The state department of transportation and the local
7 authorities are authorized to reserve all or any portion of any highway
8 under their respective jurisdictions, including any designated lane or
9 ramp, for the exclusive or preferential use of public transportation
10 vehicles or private motor vehicles carrying no fewer than a specified
11 number of passengers when such limitation will increase the efficient
12 utilization of the highway or will aid in the conservation of energy
13 resources. Regulations authorizing such exclusive or preferential use
14 of a highway facility may be declared to be effective (~~(at all times or~~
15 ~~at specified times of day or on specified days)) only during the
16 following times on Monday through Friday:~~

17 (a) 5:00 a.m. to 9:00 a.m.; and

18 (b) 3:00 p.m. to 7:00 p.m.

1 (2) Violation of a restriction of highway usage prescribed by the
2 appropriate authority under this section is a traffic infraction.

3 **Sec. 2.** RCW 47.52.025 and 1974 ex.s. c 133 s 1 are each amended to
4 read as follows:

5 Highway authorities of the state, counties, and incorporated cities
6 and towns, in addition to the specific powers granted in this chapter,
7 shall also have, and may exercise, relative to limited access
8 facilities, any and all additional authority, now or hereafter vested
9 in them relative to highways or streets within their respective
10 jurisdictions, and may regulate, restrict, or prohibit the use of such
11 limited access facilities by various classes of vehicles or traffic.
12 Such highway authorities may reserve any limited access facility or
13 portions thereof, including designated lanes or ramps for the exclusive
14 or preferential use of public transportation vehicles, privately owned
15 buses, or private motor vehicles carrying not less than a specified
16 number of passengers when such limitation will increase the efficient
17 utilization of the highway facility or will aid in the conservation of
18 energy resources. Regulations authorizing such exclusive or
19 preferential use of a highway facility may be declared to be effective
20 (~~at all time or at specified times of day or on specified days~~) only
21 during the following times on Monday through Friday:

- 22 (1) 5:00 a.m. to 9:00 a.m.; and
23 (2) 3:00 p.m. to 7:00 p.m.

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