
Transportation Committee

HB 1985

Brief Description: Allowing certain private transportation providers to use certain public transportation facilities.

Sponsors: Representatives Clibborn, Eddy, McCune, Rodne and Condotta.

Brief Summary of Bill

- Permits certain private transportation provider vehicles to use the left-hand lane of certain limited access roads.
- Requires, except in limited circumstances, certain private transportation provider vehicles to be permitted to use high occupancy vehicle lanes and lanes reserved for public transportation.

Hearing Date: 2/23/11

Staff: David Munnecke (786-7315).

Background:

Washington's rules of the road prohibit certain vehicles from traveling in the left-hand lane of a limited access roadway having three or more lanes of traffic traveling in one direction. The high occupancy vehicles (HOV) lane is not considered the left-hand lane. Excluded vehicles include any vehicle towing a trailer and vehicles that weigh more than 10,000 pounds. Under these rules, many buses are excluded from the left-hand lane because of weight restrictions.

For non-limited access facilities, the Washington State Department of Transportation (WSDOT) and local jurisdictions are authorized to reserve all or any portion of a highway or roadway for the exclusive or preferential use of public transportation vehicles or private vehicles carrying no fewer than a certain number of passengers (HOVs) when such limitation will increase the efficient utilization of the highway or will aid in the conservation of energy resources. Public transportation vehicles may use HOV lanes regardless of the number of passengers actually in the vehicle, but all private vehicles must meet the HOV occupancy requirements.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

For limited access facilities, the WSDOT and local jurisdictions are authorized to reserve all or any portion of a limited access facility for the exclusive or preferential use of public transportation vehicles, privately owned buses, or other private vehicles carrying the minimum number of specified passengers, when such limitation will increase the efficient utilization of the highway or will aid in the conservation of energy resources.

The WSDOT has adopted administrative rules regarding the use of HOV lanes on certain limited access highways (interstate highways, state highways, and ramps). Those rules may be read to permit public transportation buses, private buses that have the capacity to carry at least 16 persons, and emergency vehicles, to use HOV lanes regardless of the number of passengers actually in the vehicle. A truck that weighs more than 10,000 pounds may not use HOV lanes, regardless of how many persons occupy the truck.

Summary of Bill:

For limited access facilities having three or more lanes of traffic traveling in one direction, auto transportation company vehicles, such as aero-porter vehicles; charter carrier vehicles, except certain limousines as defined by Department of Licensing (DOL) rule; private special needs transportation provider vehicles; and private employer transportation service vehicles (collectively referred to as "specified private transportation vehicles") may travel in the left-hand lane of the roadway even if the vehicles exceed weight restrictions. The term "private employer transportation service" is defined to mean regularly scheduled, fixed-route transportation service that is offered by an employer for the benefit of its employees.

For both limited access and non-limited access facilities, the authority of the WSDOT and local jurisdictions is expanded to reserve all or any portion of a highway or roadway for the exclusive or preferential use of specified private transportation vehicles.

For both limited access and non-limited access facilities:

- If the reserved portion of a highway is based on the number of passengers in a vehicle, it is established that the specified private transportation vehicles must be authorized to use the HOV lanes if the vehicle has the capacity to carry at least eight passengers, regardless of the actual number of passengers in the vehicle.
- If a portion of a roadway is reserved for the exclusive or preferential use of public transportation vehicles, it is established that the specified private transportation vehicles must also be authorized to use the portion of the roadway reserved for public transportation vehicles if such use does not interfere with the safe operations of public transportation. An exception is created for reserved lanes in a ferry terminal or ferry holding area, which permits the WSDOT or local authority to consult and otherwise negotiate with the private transportation provider.

It is established that if any part of the act is found to conflict with a prescribed condition to receipt of federal funding, the conflicting portion is inoperable to the extent of the conflict and with respect to the agencies directly affected.

Appropriation: None.

Fiscal Note: Requested on February 21, 2011.

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