
HOUSE BILL 1031

State of Washington 57th Legislature 2001 Regular Session

By Representatives Pennington, D. Schmidt, Kagi and Ruderman

Read first time 01/11/2001. Referred to Committee on Transportation.

1 AN ACT Relating to the use of high-occupancy vehicle lanes by
2 clean-fuel vehicles; adding a new section to chapter 46.16 RCW; adding
3 a new section to chapter 46.61 RCW; adding a new section to chapter
4 70.120 RCW; creating a new section; prescribing penalties; and
5 providing an expiration date.

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

7 NEW SECTION. **Sec. 1.** The legislature finds that the federal clean
8 air act amendments of 1990 sought to accelerate the deployment of
9 clean-fuel vehicles through the use of nonmonetary incentives. The
10 federal regulations adopted to implement the clean air act amendments
11 direct states to exempt federally certified and labeled clean-fuel
12 vehicles in fleets from high-occupancy vehicle restrictions for single-
13 occupant vehicles. In addition, the federal transportation equity act
14 of the twenty-first century encourages and permits states to extend the
15 high-occupancy vehicle lane access exemption to nonfleet owners of
16 clean-fuel vehicles.

17 The legislature finds that the goals of the state and federal clean
18 air acts will be advanced by extending the use of the high-occupancy
19 vehicle lanes to federally certified clean-fuel vehicles as long as the

1 vehicles are not a significant cause of congestion in the high-
2 occupancy vehicle lanes.

3 NEW SECTION. **Sec. 2.** A new section is added to chapter 46.16 RCW
4 to read as follows:

5 (1) By June 30, 2002, the department shall issue special clean-fuel
6 license plates, bearing the standard background, for passenger vehicles
7 that are federally certified as: (a) Inherently low-emission vehicles;
8 (b) ultra low-emission vehicles; or (c) zero-emission vehicles. The
9 license plates shall denote the vehicle's certification with the
10 inherently low-emission, ultra low-emission, or zero-emission
11 designation.

12 (2) The department shall issue the special clean-fuel license
13 plates upon payment by the applicant of all license fees, but the
14 department may not set or charge an additional fee for the special
15 clean-fuel license plates. The department shall replace, at cost,
16 license plates issued under this section if they are lost, stolen,
17 damaged, defaced, or destroyed. The clean-fuel license plates shall
18 remain with the vehicle for which they were initially issued and may
19 not be used on another vehicle.

20 (3) The department shall revoke the special clean-fuel designation
21 if the vehicle is required to have a standard emission test, under
22 chapter 70.120 RCW, and it fails the test. If the vehicle fails the
23 emission test, the vehicle's owner shall return the special clean-fuel
24 license plates to the department within fifteen days and apply for
25 regular license plates.

26 (4) The use of a special clean-fuel license plate on a vehicle that
27 is not federally certified, or on a certified vehicle that has failed
28 an emission test more than fifteen days previous, is a misdemeanor.

29 NEW SECTION. **Sec. 3.** A new section is added to chapter 46.61 RCW
30 to read as follows:

31 (1) The state department of transportation and the local
32 authorities, in consultation with the department of ecology, may permit
33 a vehicle with one or more occupants to operate in high-occupancy
34 vehicle lanes if it is certified as an inherently low-emission vehicle,
35 ultra low-emission vehicle, or zero-emission vehicle pursuant to Title
36 40, Chapter 1, Part 88, Code of Federal Regulations, is labeled in

1 accordance with section 88.312-93(c) of that title, and bears a special
2 clean-fuel license plate as provided in section 2 of this act.

3 (2) Inherently low-emission fleet vehicles that have been
4 certified, labeled, and issued special clean-fuel license plates shall
5 be allowed in the high-occupancy vehicle lanes with only one occupant
6 in federally designated nonattainment air pollution areas. For the
7 purpose of this section "fleet" means a vehicle owner who is in a
8 nonattainment area and owns a total of at least ten motor vehicles,
9 including the inherently low-emission vehicle, that operate in the
10 owner's fleet.

11 (3) This section expires June 30, 2006.

12 NEW SECTION. **Sec. 4.** A new section is added to chapter 70.120 RCW
13 to read as follows:

14 If a vehicle with special clean-fuel license plates bearing the
15 designation inherently low-emission, ultra low-emission, or zero-
16 emission, as provided in section 2 of this act, fails an emission test
17 required under this chapter, the department shall immediately send
18 written notice of the failure to the department of licensing.

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