

FINAL BILL REPORT

SSB 5695

C 467 L 19
Synopsis as Enacted

Brief Description: Concerning high occupancy vehicle lane penalties.

Sponsors: Senate Committee on Transportation (originally sponsored by Senators Liias, King, Zeiger, Saldaña and Kuderer; by request of Department of Transportation).

Senate Committee on Transportation
House Committee on Transportation

Background: Current law allows the Washington State Department of Transportation (DOT) and local authorities to reserve portions of any highways under their jurisdiction as limited access facilities, or high-occupancy vehicle (HOV) lanes. DOT and local authorities are currently authorized to give access to these limited access facilities to the following users:

- public transportation vehicles;
- motorcycles;
- private motor vehicles carrying a minimum of a specified number of passengers; and
- certain private transportation provider vehicles with the capacity to carry eight or more passengers if such use does not interfere with the efficiency, reliability, and safety of public transportation operations.

DOT has various types of HOV lanes on Interstate 5, Interstate 90, Interstate 405, State Route 16, State Route 167 and State Route 520. Standard HOV lanes are generally the inside, left lanes and are identified by signs along the highway and by diamond symbols painted on the pavement. They are typically separated from the other lanes on the highway by a solid white line. The HOV lane requirement is either two or more, or three or more persons per vehicle, depending on the highway and time of day, or both. Motorcycles are allowed to use all standard HOV lanes.

The penalty for violating the passenger requirement is a traffic infraction with a total penalty of \$136.

Summary: Any time a person commits a traffic infraction of violating an HOV lane passenger requirement an additional penalty of \$50 must be assessed. A second or subsequent violation of an HOV lane passenger requirement committed within two years is subject to another \$150 penalty.

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.

Number of Violations	Standard Infraction	Graduated Additional Penalty (committed within 2 years)	Total Fine
all violations	\$136	\$50	\$186
second and subsequent violations within two years	\$136	\$150 + \$50	\$336

A separate additional penalty of \$200 is created for anyone with a doll, dummy, or other human facsimile used to violate the HOV passenger requirements, and is deposited into the Congestion Relief and Traffic Safety Account.

Additional penalties for HOV lane passenger violations are not subject to any other additional fees or assessments. The additional penalties are distributed as follows:

- 25 percent to Congestion Relief and Traffic Safety Account; and
- 75 percent to the Motor Vehicle Account.

The Congestion Relief and Traffic Safety Account is created in the state treasury and funds in the account can only be spent on purposes related to congestion relief and traffic safety.

A person's driver's license may not be suspended for a failure to respond, a failure to appear, a violation of a written promise to appear, or a failure to comply with the terms of a notice of traffic infraction for an HOV lane passenger requirement violation.

Votes on Final Passage:

Senate 37 11
House 59 39 (House amended)
Senate 35 14 (Senate concurred)

Effective: July 28, 2019