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HOUSE BILL 3010

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State of Washington                      58th Legislature                      2004 Regular Session

By Representatives Schindler, Mielke, Boldt and Wood

Read first time 01/26/2004. Referred to Committee on Transportation.

1            AN ACT Relating to reducing congestion during traffic emergencies;  
2 amending RCW 46.61.165 and 47.52.025; adding a new section to chapter  
3 47.52 RCW; and creating a new section.

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

5            NEW SECTION.    **Sec. 1.** The legislature finds that the central Puget  
6 Sound region ranks among the most congested metropolitan areas of the  
7 nation. The legislature further finds that the state department of  
8 transportation has in service over two hundred miles of high-occupancy  
9 vehicle lane miles in the region and it is imperative that those lanes  
10 be used to improve mobility within the region. It is the policy of the  
11 legislature to improve the effectiveness of the high-occupancy vehicle  
12 lanes by using the excess capacity of those lanes during periods of  
13 congestion caused by traffic emergencies.

14            **Sec. 2.** RCW 46.61.165 and 1999 c 206 s 1 are each amended to read  
15 as follows:

16            The state department of transportation and the local authorities  
17 are authorized to reserve all or any portion of any highway under their  
18 respective jurisdictions, including any designated lane or ramp, for

1 the exclusive or preferential use of public transportation vehicles or  
2 private motor vehicles carrying no fewer than a specified number of  
3 passengers when such limitation will increase the efficient utilization  
4 of the highway or will aid in the conservation of energy resources.  
5 Regulations authorizing such exclusive or preferential use of a highway  
6 facility may be declared to be effective at all times or at specified  
7 times of day or on specified days except on state highways as provided  
8 in section 4 of this act. Violation of a restriction of highway usage  
9 prescribed by the appropriate authority under this section is a traffic  
10 infraction.

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

13 Highway authorities of the state, counties, and incorporated cities  
14 and towns, in addition to the specific powers granted in this chapter,  
15 shall also have, and may exercise, relative to limited access  
16 facilities, any and all additional authority, now or hereafter vested  
17 in them relative to highways or streets within their respective  
18 jurisdictions, and may regulate, restrict, or prohibit the use of such  
19 limited access facilities by various classes of vehicles or traffic.  
20 Such highway authorities may reserve any limited access facility or  
21 portions thereof, including designated lanes or ramps for the exclusive  
22 or preferential use of public transportation vehicles, privately owned  
23 buses, or private motor vehicles carrying not less than a specified  
24 number of passengers when such limitation will increase the efficient  
25 utilization of the highway facility or will aid in the conservation of  
26 energy resources. Regulations authorizing such exclusive or  
27 preferential use of a highway facility may be declared to be effective  
28 at all time or at specified times of day or on specified days except on  
29 state highways as provided in section 4 of this act.

30 NEW SECTION. **Sec. 4.** A new section is added to chapter 47.52 RCW  
31 to read as follows:

32 For highways under its jurisdiction, the state department of  
33 transportation shall permit all vehicles, except those vehicles  
34 licensed for a weight in excess of ten thousand pounds gross vehicle  
35 weight, to use those lanes which are otherwise reserved for vehicles  
36 carrying a minimum number of occupants during periods of extreme

1 traffic emergencies. An extreme traffic emergency is a period of  
2 traffic buildup caused by an unexpected situation. The department  
3 shall determine criteria when such an emergency should be declared and  
4 when it should end. The department shall use appropriate technology to  
5 notify the public when an emergency is in effect, including but not  
6 limited to public service radio announcements.

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