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Senate Bill 1461 (as enacted)
House Bill 6414 (as enacted)
Sponsor: Senator Jud Gilbert, II (S.B. 1461)
Representative Hoon-Young Hopgood (H.B. 6414)
Senate Committee: Transportation
House Committee: Transportation

PUBLIC ACT 303 of 2008
PUBLIC ACT 304 of 2008

Date Completed: 1-20-09

CONTENT

Senate Bill 1461 amended the Michigan Transportation Fund (MTF) law to permit the Michigan Department of Transportation (MDOT) to designate one or more lanes of highway US 12 as high-occupancy vehicle (HOV) lanes.

House Bill 6414 amended the Michigan Vehicle Code to provide for the use of HOV lanes.

Senate Bill 1461 was tie-barred to House Bill 6414. The bills took effect on December 9, 2008.

Senate Bill 1461

Under the bill, beginning December 9, 2008, and continuing to December 31, 2010, MDOT may designate one or more lanes of highway US 12 in a city with a population of more than 700,000 as high-occupancy vehicle lanes. Subject to the Michigan Vehicle Code, when lanes have been designated and marked as HOV lanes, as MDOT may prescribe, lanes may be reserved during periods determined by MDOT for the exclusive use of buses and HOVs. Pursuant to the Vehicle Code, HOV lanes may be reserved for HOVs carrying at least two occupants including the driver.

House Bill 6414

Under the bill, when any lane has been designated as an HOV lane under the MTF law, and has been appropriately marked with signs and pavement markings, the lane must be reserved during the periods indicated for the exclusive use of buses and

HOVs. The restrictions imposed on HOV lanes do not apply to any of the following:

- Authorized emergency vehicles.
- Law enforcement vehicles.
- Motorcycles.
- Transit and commuter buses designed to transport people, including the driver.
- Vehicles of public utility companies that are responding to an emergency call.
- Vehicles that are using an HOV lane to make a turn permitted by law for a reasonable distance in advance of the turn or for purposes of entering or exiting a limited access highway.
- Taxicabs having two or more occupants, including the driver.
- Bicycles, if the HOV lane is the right-hand lane of a highway open to bicycles.

A violation of the section of the Code that the bill amended is a civil infraction.

Under the bill, "high-occupancy vehicle" or "HOV" means any motor vehicle carrying at least two occupants including the driver of the vehicle. "High-occupancy vehicle lane" or "HOV lane" means any designated lane or ramp on a highway designated for the exclusive or preferential use of a public transportation vehicle or private motor vehicles carrying at least a specified number of occupants, including the driver of the vehicle.

MCL 247.651 (S.B. 1461)
MCL 257.20b et al. (H.B. 6414)

Legislative Analyst: Craig Laurie

FISCAL IMPACT

Senate Bill 1461

Because the number and length of potential high-occupancy vehicle lanes is unknown at this time, the fiscal impact on the Department of Transportation and local road agencies cannot be determined.

House Bill 6414

The bill may result in additional revenue to the State and local units of government. To the extent that there are violations, the bill will result in additional civil fine revenue and potential court costs. Fine revenue from civil infractions under the Michigan Vehicle Code is allocated to public libraries. Fines resulting from citations for violations of corresponding local ordinances are shared by the local unit of government and the court funding unit.

The amount of revenue is indeterminate as there currently are no data available on the number of potential infractions.

Fiscal Analyst: Joe Carrasco
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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.