

Senate Bill No. 88

An act relating to high occupancy vehicle lanes; amending s. 316.0741, F.S.; allowing certain energy-saving vehicles to travel in such lanes, regardless of occupancy; providing for a decal and registration certificate; providing for a fee; defining the term “hybrid vehicle”; providing rulemaking authority; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsections (4), and (5), and 6 are added to section 316.0741, Florida Statutes, to read:

316.0741 High occupancy vehicle lanes.—

(4) Notwithstanding any other provision of this section, an inherently low-emission vehicle (ILEV) that is certified and labeled in accordance with federal regulations may be driven in an HOV lane at any time, regardless of its occupancy. In addition, upon the state’s receipt of written notice from the proper federal regulatory agency authorizing such use, a vehicle defined as a hybrid vehicle under this section may be driven in an HOV lane at any time, regardless of its occupancy. The department shall issue a decal and registration certificate, to be renewed annually, reflecting the HOV lane designation on such vehicles authorizing such use. The department may charge a fee for a decal, not to exceed the costs of designing, producing, and distributing each decal, or \$5, whichever is less. The proceeds from sale of the decals shall be deposited in the Highway Safety Operating Trust Fund.

(5) As used in this section, the term “hybrid vehicle” means a motor vehicle:

(a) That draws propulsion energy from onboard sources of stored energy which are both:

1. An internal combustion or heat engine using combustible fuel; and
2. A rechargeable energy storage system; and

(b) That, in the case of a passenger automobile or light truck:

1. Has received a certificate of conformity under the Clean Air Act, 42 U.S.C. 7401 et seq.; and

2. Meets or exceeds the equivalent qualifying California standards for a low-emission vehicle.

(6) The department may adopt rules necessary to administer this section.

Section 2. This act shall take effect July 1, 2003.

Approved by the Governor May 27, 2003.

Filed in Office Secretary of State May 27, 2003.