



METROPOLITAN  
TRANSPORTATION  
COMMISSION

Agenda Item 3c

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## Memorandum

TO: Legislation Committee

DATE: July 6, 2009

FR: Executive Director

RE: SB 535 (Yee) High Occupancy Vehicle Lanes – Low Emission/Hybrid Vehicles

### Description

SB 535 (Yee), as amended, eliminates the 2011 sunset date for the provisions in current law that authorize certain low emission, alternative fuel vehicles to use the state's high occupancy vehicle lanes without the required number of occupants. The emissions and alternative fuel requirements of this provision generally restrict authorization to compressed natural gas and electric vehicles, which are allowed an indefinite number of white stickers from the Department of Motor Vehicles (DMV). To date, the DMV has issued 9,308 of such stickers. The revised version of the bill also allows, from January 1, 2011 until January 1, 2015, 65,000 stickers to be issued to vehicles that meet California's enhanced advanced technology partial zero-emission vehicle (enhanced AT PZEV) standard and have a rating of 65 miles per gallon or greater combined fuel economy granting such vehicles access to the lanes without the required number of occupants.

**Recommendation:** Remove current opposition

### Discussion

MTC took an oppose position on this bill in May when the bill granted vehicles that use advanced lithium ion battery plug-in technology indefinite access to HOV lanes regardless of the number of occupants. The bill has since been amended to instead allow low-emission vehicles that achieve at least 65 miles per gallon access into HOV lanes beginning in 2011 and ending in 2015. We have reached an agreement with the author on an amendment to the bill to require that, similar to the existing program for hybrid vehicles, such vehicles register with FasTrak<sup>®</sup> in order to provide a mechanism for such vehicles to pay tolls on the bridges as well as future express lanes. Thus, we recommend removing our opposition to the bill.

### Known Positions

#### Support

- General Motors (sponsor)
- California Electric Transportation Coalition
- Tesla Motors

#### Oppose

- Alameda Congestion Management Agency
- Alameda County Transportation Improvement Authority
- Alameda Contra Costa Transit District



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Steve Heminger