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# *Memorandum*

TO: Commission

DATE: March 19, 2014

FR: Legislation Committee

W. I.: 1131

RE: Committee Recommendations

The Legislation Committee met on March 14, 2014 and referred five items to the Commission:

- **AB 1811 (Buchanan)/AB 2090 (Fong) — Access to Express Lanes/Performance Requirements.** AB 1811 would revise provisions related to express lanes administered by Alameda County Transportation Commission with respect to access to the lanes by high-occupancy vehicles (HOV). AB 2090 would revise provisions in the Santa Clara Valley Transportation Authority (VTA) high-occupancy toll (HOT) lane statute clarifying requirements related to access of HOV lanes and replacing Level of Service requirements with measures that ensure optimal use of the HOT lanes by HOV without adversely affecting other traffic on the state highway system.

  **Committee Recommendation: Support AB 1811 (Buchanan)/AB 2090 (Fong) — Access to Express Lanes/Performance Requirements and seek amendment to ensure the language in both bills remains consistent.**

- **AB 2197 (Mullin) — Temporary License Plate Program.** AB 2197 would require the Department of Motor Vehicles (DMV), in collaboration with qualified industry partners, to develop a temporary license plate system to enable vehicle dealers and lessor-retailers to print temporary license plates on weatherproof paper or other media selected by the DMV and that the system be in operation on or before July 1, 2015.

  **Committee Recommendation: Support AB 2197 (Mullin) — Temporary License Plate Program.**

- **AB 2013 (Muratsuchi) — Expansion of Access to HOV Lanes by Specified Low-Emission Vehicles.** AB 2013 would increase the number of decals the DMV is currently authorized to issue under federal law from 40,000 to an unspecified amount.

  **Committee Recommendation: Oppose AB 2013 (Muratsuchi) — Expansion of Access to HOV Lanes by Specified Low-Emission Vehicles.**

- **AB 2173 (Bradford) — Low-Speed Electric Bicycle.** AB 2173 would expand the definition of a motorized bicycle to create a new classification, i.e. low-speed electric bicycle, and grant them access to Class I bicycle paths, consistent with MTC's 2014 Advocacy Program.

  **Committee Recommendation: Support AB 2173 (Bradford) — Low-Speed Electric Bicycle.**

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# *Memorandum*

TO: Legislation Committee DATE: March 7, 2014

FR: Executive Director W. I. 1131

RE: AB 2013 (Muratsuchi): Expansion of Access to High-Occupancy Vehicle Lanes by Low-Emission Vehicles

**Background**

Assembly Bill 2013 proposes to expand the number of vehicles allowed to use high-occupancy vehicle (HOV) lanes without the required number of occupants and without payment. Specifically, the bill increases by an unspecified amount, the number of green stickers that DMV may issue to plug-in hybrid vehicles meeting the "enhanced advanced technology partial zero-emission vehicles (enhanced AT PZEV) standard or transitional zero-emission vehicle (TZEV)" standard, as determined by the California Air Resources Board (ARB). Under current law, up to 40,000 green stickers may be issued, providing access until January 1, 2019. For the 2014 model year, the ARB has validated seven plug-in hybrid models as qualifying. There are also qualifying vehicles in prior model years dating back to 2012. As of February 28, 2014, 33,637 "green" stickers have been issued. Additionally, an unlimited number of white stickers may be issued for pure electric vehicles and certain alternative fuel vehicles.

**Recommendation: Oppose**

**Discussion**

While it is unusual for staff to recommend a position on a bill that leaves blank its key policy change, in this case we believe it is important to express our concerns early in the legislative session before the bill is heard in committee. As a policy matter, we are concerned about further erosion of HOV lane capacity to vehicles that are neither reducing the number of trips on the road nor paying a toll. With congestion levels shooting up again, especially in the prosperous South Bay of the region where the purchase of such vehicles is more likely, we do not believe it is appropriate to give access to the region's HOV lanes or express lanes away for free. For these reasons, we recommend we oppose further expansion of this policy and oppose AB 2013.

**Known Positions**

| **Support** | **Oppose** |
|---|---|
| *Pending* | *Pending* |

Steve Heminger

SH: RL
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