

## Department of Planning and Budget 2009 Fiscal Impact Statement

**1. Bill Number:** HB2476

House of Origin          Introduced      X      Substitute      X      Engrossed  
Second House         X      In Committee          Substitute          Enrolled

**2. Patron:**        Hugo

**3. Committee:** Senate Transportation

**4. Title:**            **HOV lanes; clean special fuel vehicles.**

**5. Summary:** The proposed legislation would extend the occupancy exemption on certain high occupancy vehicle (HOV) lanes for vehicles bearing clean special fuel vehicle license plates to July 1, 2010. The current occupancy exemption is scheduled to sunset June 30, 2009. The exemption authorizes such vehicles to use HOV lanes without meeting the required number of passengers. Section 46.2-749.3, Code of Virginia, limits the exemption on the I-95\395 corridor to those vehicles with clean special fuel vehicle plates which were issued prior to July 1, 2006.

**6. Fiscal Impact Estimates:** Preliminary. See Item 8.

**7. Budget Amendment Necessary:** None.

**8. Fiscal Implications:** House Bill 1248 was passed in the 2006 General Assembly session, which directed a portion of each clean special fuel license plate registration, after the first thousand issued, to the Virginia State Police for HOV lane enforcement. In FY 2008, the State Police received \$280,335 from the registrations. Many of the vehicles in Virginia registered as clean special fuel vehicles are hybrid electric vehicles owned by Northern Virginia residents who utilize the HOV lanes. If the HOV lane exemption for clean special fuel vehicles ended, there would likely be a decrease in the number of special fuel license plates issued and a decrease the amount of funding provided to the State Police.

**9. Specific Agency or Political Subdivisions Affected:** Virginia Department of Transportation, Virginia State Police

**10. Technical Amendment Necessary:** None.

**11. Other Comments:** The 2005 federal transportation act SAFETEA-LU authorized states to provide HOV exemptions for certain low emission and energy-efficient vehicles. The SAFETEA-LU legislation expires on September 30, 2009. It is not known if the reauthorization of the transportation act will include the HOV exemption. The bill is identical to HB 2299 and HB1932.

**Date:** 2/4/2009    dpb/smc

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cc: Secretary of Transportation