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HOUSE BILL NO. 1894

Offered January 11, 2023

Prefiled January 10, 2023

A *BILL to amend the Code of Virginia by adding in Chapter 5 of Title 33.2 a section numbered 33.2-506, relating to high-occupancy vehicle lanes; pregnant women.*

Patron—Freitas

Referred to Committee on Transportation

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Chapter 5 of Title 33.2 a section numbered 33.2-506 as follows:

§ 33.2-506. HOV lanes; pregnant women.

A. *Notwithstanding any other provision of law, any pregnant woman shall be considered two people for determining occupancy in high-occupancy vehicle lanes and HOT lanes, provided that (i) such lane is monitored by a photo-enforcement system and the pregnant person has notified the Department as provided in this section and has her registered toll collection device in the vehicle or (ii) the pregnant woman provides proof of pregnancy when stopped by a law-enforcement officer for a violation of this chapter.*

B. *The Department shall establish a process whereby any pregnant woman who is the registered user of a toll collection device can certify to the Department that she is pregnant and flag such toll collection device as being used by a pregnant woman. The Department shall coordinate with all operators of photo-enforcement systems and establish a process to recognize any such woman as two people for determining occupancy in high-occupancy vehicle lanes and HOT lanes. Such woman shall not be issued any citation or required to refute a citation issued via a photo-enforcement system, provided that she has properly registered with the Department pursuant to this subsection.*

C. *Notwithstanding any other provision of law, information collected pursuant to this section shall be limited exclusively to that information needed to enforce the provisions of this chapter, and such information shall be used exclusively for enforcing high-occupancy requirements and shall not be (i) open to the public; (ii) sold or used for sales, solicitation, or marketing purposes; or (iii) disclosed to any entity not authorized in this section other than a court of law. Information collected under this section shall be purged one year after certification of pregnancy is made to the Department. If the pregnant woman notifies the Department that she is no longer pregnant, the Department shall purge all data related to such pregnancy within 24 hours.*

INTRODUCED

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