

SENATE BILL NO. 84

BY SENATORS ERDEY, APPEL, CARTER, CLAITOR, COLOMB, GATTI, HEWITT,
JOHNS, RISER, GARY SMITH AND THOMPSON AND
REPRESENTATIVES ADAMS, TERRY BROWN, CARPENTER,
STEVE CARTER, LARVADAIN, MARCELLE, PIERRE, POPE AND
WHITE

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

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AN ACT

To enact R.S. 48:345, relative to traffic control and regulation; to authorize the designation of a high-occupancy vehicle (HOV) lane on highways in the state highway system; to provide a definition of a "high-occupancy vehicle (HOV) lane"; to provide with respect to penalties for violation of unauthorized use of an HOV lane; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 48:345 is hereby enacted to read as follows:

§345. Designation of a high-occupancy vehicle (HOV) lane on highways in the state highway system; penalty

A. The secretary or his designee may designate high-occupancy vehicle (HOV) lanes on any highway in the state highway system where adequate shoulders exist and may restrict the use thereof to vehicular traffic classified as a "high-occupancy vehicle (HOV)" to the extent he thinks it expedient that, in his judgment, is appropriate to provide travel time savings and to increase the total number of people moved through a highway corridor with high levels of travel demand and traffic congestion. Nothing in this Section authorizes the secretary or his designee to designate an existing roadway or travel lane as a high-occupancy vehicle (HOV) lane.

B. For the purpose of this Section, the following words and phrases shall have the meaning respectively ascribed to them:

1 (1) "High-occupancy vehicle" means a passenger car, pickup truck, van,
 2 recreational vehicle, or a bus or other motorized passenger vehicle used for
 3 transporting persons such as a carpool or a vanpool vehicle used for ridesharing
 4 purposes and occupied by a driver and one or more passengers. A truck,
 5 tandem truck, tractor, truck-tractor, combination of vehicles, or commercial
 6 motor vehicle carrying or transporting freight, merchandise, or other property
 7 shall not be a high-occupancy vehicle.

8 (2) "High-occupancy vehicle (HOV) lane" means one or more lanes of
 9 a highway or an entire highway designated by traffic control devices where
 10 high-occupancy vehicles are given at all times, or at regularly scheduled times,
 11 a priority or preference over some or all other vehicles moving in the general
 12 stream of all highway traffic.

13 C. Any high-occupancy vehicle (HOV) lane designated pursuant to
 14 Subsection A of this Section may be used by a motorcycle, as defined in R.S.
 15 32:1, without regard to the number of riders or passengers.

16 D. The department shall promulgate rules and regulations related to
 17 enforcement and penalties of the high-occupancy vehicle lanes. Notwithstanding
 18 any other law to the contrary, the rules and regulations shall be in accordance
 19 with the selected implementation method of the high-occupancy vehicle lanes.

 PRESIDENT OF THE SENATE

 SPEAKER OF THE HOUSE OF REPRESENTATIVES

 GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____