



1 vehicles as determined by the Department of Transportation or the city having  
2 jurisdiction over the street or highway. When transitways have been designated, and  
3 they have been appropriately marked with signs or other markers, they shall be reserved  
4 for privately or publicly operated transportation vehicles as determined by the  
5 Department or the city having jurisdiction.

6 (b) Temporary Peak Traffic Shoulder Lanes. – The Department of Transportation  
7 may modify, upgrade, and designate shoulders of controlled access facilities and  
8 partially controlled access facilities as temporary travel lanes during peak traffic  
9 periods. When these shoulders have been appropriately marked, it shall be unlawful to  
10 use these shoulders for stopping or emergency parking. Emergency parking areas shall  
11 be designated at other appropriate areas, off these shoulders, when available.

12 (c) Directional Flow Peak Traffic Lanes. – The Department of Transportation  
13 may designate travel lanes for the directional flow of peak traffic on streets and  
14 highways on the State Highway System and cities may designate travel lanes for the  
15 directional flow of peak traffic on streets on the Municipal Street System. These travel  
16 lanes may be designated for time periods by the agency controlling the streets and  
17 highways.

18 (d) Violation of designated HOV and transitway lane restrictions as provided in  
19 subsection (a) or (a1) of this section is an infraction punishable by a penalty of one  
20 hundred dollars (\$100.00). No drivers license or insurance points shall be assessed for  
21 violation of subsection (a) or (a1) of this section."

22 **SECTION 2.** This act becomes effective December 1, 2005, and applies to  
23 offenses committed on or after that date.