

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2003**

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**SENATE BILL 1090\*  
Judiciary I Committee Substitute Adopted 6/7/04**

Short Title: HOV Lanes - Emergency Vehicles.

(Public)

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Sponsors:

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Referred to:

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May 13, 2004

A BILL TO BE ENTITLED

1 AN ACT TO EXEMPT FROM HOV LANE RESTRICTIONS MOVEMENT  
2 AROUND EMERGENCY VEHICLES, DISABLED VEHICLES, OR DEBRIS.

3 The General Assembly of North Carolina enacts:

4 **SECTION 1.** G.S. 20-146.2(a) reads as rewritten:

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6 "(a) HOV Lanes. – The Department of Transportation may designate one or more  
7 travel lanes as high occupancy vehicle (HOV) lanes on streets and highways on the  
8 State Highway System and cities may designate one or more travel lanes as high  
9 occupancy vehicle (HOV) lanes on streets on the Municipal Street System. HOV lanes  
10 shall be reserved for vehicles with a specified number of passengers as determined by  
11 the Department of Transportation or the city having jurisdiction over the street or  
12 highway. When HOV lanes have been designated, and have been appropriately marked  
13 with signs or other markers, they shall be reserved for privately or publicly operated  
14 buses, and automobiles or other vehicles containing the specified number of persons.  
15 Where access restrictions are applied on HOV lanes through designated signing and  
16 pavement markings, vehicles shall only cross into or out of an HOV lane at designated  
17 openings. Any vehicle may cross into or out of an HOV lane to avoid an emergency  
18 vehicle in accordance with G.S. 20-157(f), to avoid a disabled vehicle, or to avoid  
19 debris. A motor vehicle shall not travel in a designated HOV lane if the motor vehicle  
20 has more than three axles, regardless of the number of occupants. HOV lane restrictions  
21 shall not apply to motorcycles or vehicles designed to transport 15 or more passengers,  
22 regardless of the actual number of occupants. HOV lane restrictions shall not apply to  
23 emergency vehicles. As used in this subsection, the term "emergency vehicle" means  
24 any law enforcement, fire, police, or other government vehicle, and any public and  
25 privately owned ambulance or emergency service vehicle, when responding to an  
26 emergency."

27 **SECTION 2.** This act becomes effective September 1, 2004, and applies to  
28 offenses committed on or after that date.