

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2003**

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**SENATE BILL 1090\***

Short Title: HOV Lanes - Emergency Vehicles.

(Public)

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Sponsors: Senator Jenkins.

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Referred to: Judiciary I.

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May 13, 2004

A BILL TO BE ENTITLED

1 AN ACT TO EXEMPT MOVEMENT AROUND EMERGENCY VEHICLES FROM  
2 HOV LANE RESTRICTIONS.  
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4 The General Assembly of North Carolina enacts:

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

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.~~ openings, unless the vehicle moves out of the lane to avoid an emergency  
18 vehicle, in accordance with G.S. 20-157(f). A motor vehicle shall not travel in a  
19 designated HOV lane if the motor vehicle has more than three axles, regardless of the  
20 number of occupants. HOV lane restrictions shall not apply to motorcycles or vehicles  
21 designed to transport 15 or more passengers, regardless of the actual number of  
22 occupants. HOV lane restrictions shall not apply to emergency vehicles. As used in this  
23 subsection, the term "emergency vehicle" means any law enforcement, fire, police, or  
24 other government vehicle, and any public and privately owned ambulance or emergency  
25 service vehicle, when responding to an emergency."

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