

REFERENCE TITLE: HOV lanes; degradation; technical correction

State of Arizona  
House of Representatives  
Fifty-fifth Legislature  
Second Regular Session  
2022

# HB 2175

Introduced by  
Representative Wilmeth

AN ACT

AMENDING SECTION 28-337, ARIZONA REVISED STATUTES; RELATING TO THE  
DEPARTMENT OF TRANSPORTATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 28-337, Arizona Revised Statutes, is amended to  
3 read:

4 28-337. High occupancy vehicle lane; lane degradation;  
5 priority use

6 A. In accordance with 23 United States Code section 166, the  
7 department shall develop procedures to monitor the impact that single  
8 occupancy vehicles authorized under sections 28-2416 and 28-2416.01 have  
9 on the operation of the high occupancy vehicle lanes.

10 B. If a high occupancy vehicle lane becomes degraded due to the  
11 authorization of single occupancy vehicles authorized under sections  
12 28-2416 and 28-2416.01, use of the lane is restricted to the following  
13 vehicles in the following priority:

- 14 1. Passenger vehicles with two or more occupants, including the  
15 driver.
- 16 2. Public transit buses.
- 17 3. Buses with two or more occupants, including the driver.
- 18 4. Motorcycles.
- 19 5. Alternative fuel vehicles.
- 20 6. Low emission and energy efficient vehicles **AS DEFINED IN SECTION**  
21 **28-601**.

22 C. The department shall limit use to vehicles in the priority order  
23 prescribed in subsection B of this section and shall maintain those  
24 restrictions while the lane or portion of the lane remains degraded.

25 D. For the purposes of this section, a high occupancy vehicle lane  
26 is degraded if vehicles operating on the facility, or portions of the  
27 facility, are failing to maintain a speed of forty-five miles per hour or  
28 greater ninety ~~per cent~~ **PERCENT** of the time over a consecutive one hundred  
29 eighty day period during morning and evening weekday ~~peak hour~~ **PEAK-HOUR**  
30 periods.