



# STATE OF CONNECTICUT

## DEPARTMENT OF TRANSPORTATION

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Office of the  
Commissioner

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**Public Hearing - February 4, 2013  
Transportation Committee**

**Testimony Submitted by Commissioner Jim Redeker  
Department of Transportation**

**Proposed H.B. 5552 – An Act Exempting Certain Fuel-Efficient Vehicles from the Minimum Vehicle Occupancy Requirements of the State’s HOV Lanes.**

**Proposed H.B. 6024 – An Act Concerning Fuel-Efficient Vehicles and the Minimum Vehicle Occupancy Requirements of the State’s HOV Lanes.**

The high occupancy vehicle (HOV) lanes in Connecticut were built with federal funds and are subject to federal statutes and regulations on how the lanes may be used. Current federal statutes allow only a few categories of exceptions to high occupancy vehicles - defined as a vehicle with minimum of two or more occupants or a motorcycle. The exceptions are:

- Public transportation vehicles that are not in service. (i.e., out-of-service)
- Low emission and energy-efficient vehicles such as hybrids.
- High Occupancy Toll or HOT vehicles. (These are vehicles that do not meet the minimum occupancy requirement but are allowed to use the HOV facility if they pay a toll to do so, providing the increase use does not significantly degrade service for high occupant vehicles).

The current federal transportation legislation, MAP -21 (Section 1514) extends the States’ capability to establish programs allowing low-emission and energy-efficient vehicles to use HOV facilities through the year 2017.

The Electric Vehicle Infrastructure Council issued a final report dated September 1, 2010 to Governor M. Jodi Rell. The report indicated that single occupancy electric vehicles could travel in the HOV facilities, contingent on the State annually certifying to the Federal Highway Administration (FHWA), that appropriate operational monitoring and enforcement programs are in place. This certification is intended to ensure that performance of the HOV facility is maintained and in accordance with Federal requirements. In order to accommodate any single-occupant fuel-efficient vehicles on the HOV lanes, several steps are needed which would include the Departments of Motor Vehicle, Public Safety and Transportation. These steps are:

1. Develop a definition of a “fuel-efficient” vehicle. (e.g. EPA list of fuel-efficient vehicles)
2. Develop and implement a program to identify, register and designate fuel-efficient vehicles.
3. Develop and implement a procedure to collect annual \$25 participation fee.
4. Develop and implement a program for monitoring, evaluating and reporting the use of HOV facilities by single-occupant fuel-efficient vehicles.

5. Expand existing HOV facility enforcement program to address the addition of single-occupant fuel-efficient vehicles to the HOV facilities.
6. Develop and implement a public information program addressing the addition of single-occupant fuel-efficient vehicles to the HOV facilities.
7. Establish policies and procedures which trigger a restriction of discontinuation of single-occupant fuel-efficient vehicles in the HOV facilities should levels of service degraded. (Note: FHWA considers a HOV facility degraded if vehicles operating on it are failing to maintain a minimum operating speed 90% of the time over a consecutive 180-day period during morning and/or evening weekday peak hours (minimum average operating speed is defined as 45 mph in a 50 mph speed limit zone or 10 mph below the speed limit when the limit is less than 50 mph.)
8. Develop and implement a process to transfer all annual fees to a State transportation infrastructure fund.

The Electric Vehicle Infrastructure Council Final Report did not indicate a level of staffing or any associated costs to develop, implement and maintain such a program.

For further information or questions, please contact Pam Sucato, Legislative Program Manager for the Department of Transportation, at (860) 594-3013.