

**ASSEMBLY BILL**

**No. 2906**

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**Introduced by Assembly Members Tran and Huff**  
**(Principal coauthors: Assembly Members Duvall, Solorio, and Walters)**

(Principal coauthors: Senators Correa and Harman)  
**(Coauthors: Assembly Members DeVore, Silva, and Spitzer)**  
(Coauthor: Senator Wyland)

February 22, 2008

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An act to repeal Section 21655.3 of the Vehicle Code, relating to vehicles, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 2906, as introduced, Tran. Vehicles: high-occupancy vehicle lane: buffer area.

(1) Existing law requires specified high-occupancy vehicle lanes to be separated from adjacent mixed-flow lanes by a buffer area of at least 4 feet in width.

This bill would repeal these provisions.

(2) This bill would declare that it is to take effect immediately as an urgency statute.

Vote:  $\frac{2}{3}$ . Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 21655.3 of the Vehicle Code is repealed.  
2 ~~21655.3. (a) A high-occupancy vehicle lane on a state highway~~  
3 ~~that has been given permanent operational status as a~~

1 high-occupancy lane by the department on or after January 1, 1987,  
2 but before December 31, 1987, in conjunction with a transportation  
3 planning agency, and that is operated as a high-occupancy vehicle  
4 lane on a 24-hour basis after that date, shall be separated from  
5 adjacent mixed-flow lanes by a buffer area of at least four feet in  
6 width.

7 (b) ~~The transportation planning agency having within its area~~  
8 ~~of jurisdiction a high-occupancy vehicle lane meeting the~~  
9 ~~operational requirements of subdivision (a) and having no buffer~~  
10 ~~or a buffer less than four feet in width shall, by July 1, 1988, do~~  
11 ~~one of the following:~~

12 (1) ~~Enter into an agreement with the department to provide a~~  
13 ~~four-foot buffer between the high-occupancy vehicle lane and the~~  
14 ~~adjacent lanes and agree to pay any costs for the buffer not~~  
15 ~~programmed by the department.~~

16 (2) ~~Submit to the department a written request that the~~  
17 ~~high-occupancy vehicle lane be changed to a mixed-flow lane.~~

18 (c) ~~Upon receipt of notification by the transportation planning~~  
19 ~~agency of its request that the high-occupancy vehicle lane become~~  
20 ~~a mixed-flow lane, the department shall proceed with the work~~  
21 ~~necessary to change the high-occupancy lane to a mixed-flow lane.~~

22 (d) ~~The width of a buffer between a high-occupancy vehicle~~  
23 ~~lane and adjacent lanes may be less than four feet at locations~~  
24 ~~where a four-foot buffer would require the removal, relocation, or~~  
25 ~~reconstruction of any existing bridge support structures or where~~  
26 ~~part of the buffer space is required for enforcement refuge areas.~~

27 SEC. 2. This act is an urgency statute necessary for the  
28 immediate preservation of the public peace, health, or safety within  
29 the meaning of Article IV of the Constitution and shall go into  
30 immediate effect. The facts constituting the necessity are:

31 In order to alleviate ongoing traffic congestion and transportation  
32 difficulties as soon as possible, it is necessary for this act to go  
33 into effect immediately.