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**BILL ANALYSIS**

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Senate Bill 1461 (Substitute S-2 as reported by the Committee of the Whole)  
Senate Bill 1462 (Substitute S-1 as reported by the Committee of the Whole)  
Sponsor: Senator Jud Gilbert, II  
Committee: Transportation

**CONTENT**

Senate Bill 1461 (S-2) would amend the Michigan Transportation Fund law to permit the Michigan Department of Transportation, until December 31, 2010, to designate one or more lanes of highway US 12 in a city with a population over 700,000 as high-occupancy vehicle (HOV) lanes. Subject to the Michigan Vehicle Code, when lanes had been designated and marked as HOV lanes, as the Department prescribed, lanes could be reserved during periods determined by the Department for the exclusive use of buses and high-occupancy vehicles. High-occupancy vehicle lanes could be reserved for high-occupancy vehicles carrying at least two occupants including the driver.

Senate Bill 1462 (S-1) would amend the Michigan Vehicle Code to do the following:

- Provide that when any lane had been designated as an HOV lane and marked appropriately with signs and pavement markings, the lane would have to be reserved during the periods indicated for the exclusive use of buses and HOVs.
- Exempt emergency vehicles, law enforcement vehicles, utility vehicles, motorcycles, buses, and other specified vehicles from the restrictions imposed on HOV lanes.
- Define "high-occupancy vehicle" as any motor vehicle carrying not fewer than two occupants, including the driver.

Under the Code, when a roadway has been divided into two or more clearly marked lanes for traffic, certain rules regarding traffic direction and lane use apply. A person who violates those rules is responsible for a civil infraction. Under the bill, this also would apply to a violation of the HOV provisions, and a violator would be responsible for a "state" civil infraction.

MCL 247.651 (S.B. 1461)  
MCL 257.642 et al. (S.B. 1462)

Legislative Analyst: Craig Laurie

**FISCAL IMPACT**

Senate Bill 1461 (S-2): Because the number and length of potential high-occupancy vehicle lanes is unknown at this time, the fiscal impact on the Department of Transportation and local road agencies cannot be determined.

Senate Bill 1462 (S-1): The bill could result in additional revenue to the State and local units of government. To the extent that there would be violations, the bill would result in additional fine revenue and potential court costs. Fine revenue from civil infractions under the Michigan Vehicle Code is allocated to public libraries. Fines resulting from citations for violations of corresponding local ordinances are shared by the local unit of government and the court funding unit.

The amount of revenue is indeterminate as there currently are no data available on the number of potential infractions.

Date Completed: 9-17-08

Fiscal Analyst: Joe Carrasco  
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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.