

SENATE  
STATE OF MINNESOTA  
EIGHTY-SEVENTH LEGISLATURE

S.F. No. 1087

(SENATE AUTHORS: JUNGBAUER and Nelson)

DATE	D-PG	OFFICIAL STATUS
04/04/2011	1156	Introduction and first reading Referred to Transportation
04/11/2011	1267	Author added Nelson

A bill for an act  
relating to transportation; allowing use of HOV lanes by electric vehicles;  
amending Minnesota Statutes 2010, section 160.02, by adding a subdivision;  
proposing coding for new law in Minnesota Statutes, chapter 160.  
BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2010, section 160.02, is amended by adding a  
subdivision to read:

Subd. 24a. **Qualified plug-in electric drive vehicle.** "Qualified plug-in electric  
drive vehicle" means a four-wheeled motor vehicle that:  
(1) is manufactured primarily for use on public streets, roads, and highways;  
(2) has not been modified from the original manufacturer's specifications;  
(3) has been acquired for use or lease, and not for resale;  
(4) is rated at not more than 8,500 pounds unloaded gross vehicle weight;  
(5) has a maximum speed capability of at least 55 miles per hour;  
(6) is propelled to a significant extent by an electric motor that draws electricity from  
a battery that (i) has a capacity of not less than four kilowatt hours and (ii) is capable of  
being recharged from an external source of electricity; and  
(7) is purchased or leased on or after October 1, 2010.

Sec. 2. **[160.94] HOV LANE USE BY ELECTRIC VEHICLES.**

(a) A person may operate a qualified plug-in electric drive vehicle on designated  
high-occupancy vehicle lanes if:  
(1) the owner of the vehicle has acquired a permit for such operation under this  
section;

2.1 (2) the vehicle has been licensed and registered for use on the streets and highways  
2.2 under chapter 168;

2.3 (3) the vehicle meets the operating, safety, and equipment requirements of chapter  
2.4 169 to be operated on the streets and highways of this state; and

2.5 (4) the vehicle meets any applicable federal motor vehicle safety standards, Code  
2.6 of Federal Regulations, title 49, part 571.

2.7 (b) After adequate research, and consultation with the commissioner of public  
2.8 safety and the National Highway Traffic Safety Administration, the commissioner of  
2.9 transportation may designate by order specific models of vehicles of certain manufacturers  
2.10 as presumptively meeting the requirements of paragraph (a) for qualified plug-in  
2.11 electric drive vehicles. A person who owns or operates a vehicle so designated by the  
2.12 commissioner under this paragraph shall obtain a permit to be carried in the vehicle for a  
2.13 fee not to exceed the cost to make and issue the permit.

2.14 (c) For vehicles not so designated under paragraph (b), the commissioner may adopt  
2.15 by rule standards for compliance and inspection to obtain a permit under this section. The  
2.16 commissioner may also adopt rules to implement and administer this paragraph. The  
2.17 commissioner may require owners or operators of vehicles under this paragraph to pay a  
2.18 fee not to exceed the cost to make and issue the permit and conduct the inspection.

2.19 (d) The commissioner of transportation, in consultation with the commissioner of  
2.20 public safety, and, for the metropolitan area, the Metropolitan Council, may suspend the  
2.21 issuance of permits under this section on determining that the use of HOV lanes has  
2.22 reached the maximum level that should be allowed. The commissioner may limit the  
2.23 number of permits issued annually under this section to ensure that HOV-lane operations  
2.24 do not exceed the maximum level allowed.

2.25 (e) Fees collected under this section must be deposited in a special account in  
2.26 the special revenue fund and may be spent for the purposes listed in section 160.93,  
2.27 subdivision 2.

2.28 (f) The commissioner of transportation shall report to the legislature annually on the  
2.29 transportation impacts of the use of HOV lanes by additional vehicles under this section.