

This does not constitute tax advice. All persons considering use of available incentives should consult with their own tax professional to determine eligibility, specific amount of benefit available, if any, and further details.

STATE OF FLORIDA

Single Occupancy HOV Lane

Short Description: Unlimited use of HOV lanes by vehicles with state issued decal

Beneficiary: Driver of a qualified vehicle in Florida with proper registration

Type of Incentive: Transportation Privilege

Effective Dates: Current benefit

Value of Benefit: Non-cash Benefit. The application form for state issued clean-fuel decal has been reproduced below.

Full Description:

Electric vehicles may be driven in high occupancy vehicle lanes at any time, regardless of the number of passengers in the vehicle. All eligible vehicles are required to display a decal issued by the Florida Division of Motor Vehicles and be renewed annually for a fee (316.0741(5)). Vehicles with decals may use any high occupancy vehicle lane designated as a high occupancy vehicle toll lane without requiring payment of the toll (316.0741(6)).

An electric or hybrid vehicle qualifies for unrestricted use of the high occupancy vehicle lane (316.0741(4)(a)).

State Statutory References:

Florida Statute 316.0741

- http://www.flsenate.gov/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=Ch0316/SEC0741.HTM&Title=->2009->Ch0316->Section%200741#0316.0741 (reproduced below)

Other Link(s):

- <http://www.afdc.energy.gov/afdc/laws/law/FL/5733> (AFDC Website)

Contact Info: Florida Department of Highway Safety and Motor Vehicles: 1-850-617-2000

The Florida Senate

2011 Florida Statutes

<p><u>TITLE XXIII</u> MOTOR VEHICLES</p>	<p><u>CHAPTER 316</u> STATE UNIFORM TRAFFIC CONTROL</p>	<p><u>VIEW ENTIRE CHAPTER</u></p>
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316.0741 High-occupancy-vehicle lanes. —

(1) As used in this section, the term:

(a) “High-occupancy-vehicle lane” or “HOV lane” means a lane of a public roadway designated for use by vehicles in which there is more than one occupant unless otherwise authorized by federal law.

(b) “Hybrid vehicle” means a motor vehicle:

1. That draws propulsion energy from onboard sources of stored energy which are both an internal combustion or heat engine using combustible fuel and a rechargeable energy-storage system;

2. That, in the case of a passenger automobile or light truck, has received a certificate of conformity under the Clean Air Act, 42 U.S.C. ss. 7401 et seq., and meets or exceeds the equivalent qualifying California standards for a low-emission vehicle; and

3. That, in the case of a tri-vehicle, is an inherently low-emission vehicle as provided in subsection (4).

(2) The number of persons who must be in a vehicle to qualify for legal use of the HOV lane and the hours during which the lane will serve as an HOV lane, if it is not designated as such on a full-time basis, must also be indicated on a traffic control device.

(3) Except as provided in subsection (4), a vehicle may not be driven in an HOV lane if the vehicle is occupied by fewer than the number of occupants indicated by a traffic control device. A driver who violates this section shall be cited for a moving violation, punishable as provided in chapter 318.

(4)(a) Notwithstanding any other provision of this section, an inherently low-emission vehicle (ILEV) that is certified and labeled in accordance with federal regulations may be driven in an HOV lane at any time, regardless of its occupancy. In addition, upon the state’s receipt of

written notice from the proper federal regulatory agency authorizing such use, a vehicle defined as a hybrid vehicle under this section may be driven in an HOV lane at any time, regardless of its occupancy.

(b) All eligible hybrid and all eligible other low-emission and energy-efficient vehicles driven in an HOV lane must comply with the minimum fuel economy standards in 23 U.S.C. s. 166(f)(3)(B).

(c) Upon issuance of the applicable United States Environmental Protection Agency final rule pursuant to 23 U.S.C. s. 166(e), relating to the eligibility of hybrid and other low-emission and energy-efficient vehicles for operation in an HOV lane, regardless of occupancy, the Department of Transportation shall review the rule and recommend to the Legislature any statutory changes necessary for compliance with the federal rule. The department shall provide its recommendations no later than 30 days following issuance of the final rule.

(5) The department shall issue a decal and registration certificate, to be renewed annually, reflecting the HOV lane designation on vehicles meeting the criteria in subsection (4) authorizing driving in an HOV lane at any time. The department may charge a fee for a decal, not to exceed the costs of designing, producing, and distributing each decal, or \$5, whichever is less. The proceeds from sale of the decals shall be deposited in the Highway Safety Operating Trust Fund. The department may, for reasons of operation and management of HOV facilities, limit or discontinue issuance of decals for the use of HOV facilities by hybrid and low-emission and energy-efficient vehicles, regardless of occupancy, if it has been determined by the Department of Transportation that the facilities are degraded as defined by 23 U.S.C. s. 166(d)(2).

(6) Vehicles having decals by virtue of compliance with the minimum fuel economy standards under 23 U.S.C. s. 166(f)(3)(B), and which are registered for use in high-occupancy-vehicle toll lanes or express lanes in accordance with Department of Transportation rule, shall be allowed to use any HOV lanes redesignated as high-occupancy-vehicle toll lanes or express lanes without requiring payment of a toll.

(7) The department may adopt rules necessary to administer this section.

History.—s. 28, ch. 95-257; s. 64, ch. 96-323; s. 14, ch. 96-350; s. 1, ch. 2003-45; s. 1, ch. 2008-176; s. 28, ch. 2008-227; s. 3, ch. 2010-223.

Disclaimer: The information on this system is unverified. The journals or printed bills of the respective chambers should be consulted for official purposes.

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STATE OF FLORIDA
DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES
DIVISION OF MOTOR VEHICLES
 2900 Apalachee Parkway, Neil Kirkman Building
 Tallahassee, FL 32399-0610

APPLICATION FOR HIGH OCCUPANCY VEHICLE (HOV) DECAL

Submit this completed application along with appropriate fees to your local license plate agency for processing.

SECTION A – VEHICLE INFORMATION				
Vehicle Identification Number	License Plate Number	Year	Make	Model

SECTION B - REGISTERED OWNER(S) OF RECORD			
Registered Owner's Full Name (First, Middle, Last)	Owner's E-mail address	Driver License or ID Card Number	
Registered Co-Owner's Full Name (First, Middle, Last)	Co-Owner's E-mail Address	Driver License or ID Card Number	
Lessee's Full Name (First, Middle, Last)	Lessee's E-mail Address	Driver License or ID Card Number	
Co-Lessee's Full Name (First, Middle, Last)	Co-Lessee's E-mail Address	Driver License or ID Card Number	
Residence or Business Address	City	State	Zip
Mailing Address (if different from above)	City	State	Zip

SECTION C - REQUIREMENTS
<p>The above described vehicle meets Federal Inherently Low Emission Vehicle (ILEV) federal regulations or is classified as a Hybrid vehicle and qualifies for a Florida HOV Decal which permits access to HOV lanes. The fees are \$5.00 for an annual decal, \$10.00 for a biennial decal, and a \$.70 mail fee for either decal, if applicable. The decal expires on your date of birth and must be renewed annually or biennially.</p>

SECTION D – SIGNATURE(S)	
I (We) hereby request a Florida HOV Decal for the above described vehicle:	
Signature of Registered Owner	Date
Signature of Registered Co-Owner	Date
Signature of Lessee	Date
Signature of Co-Lessee	Date