

STATE OF GEORGIA

Electric Vehicle Single Occupancy Use of HOV Lane

Short Description: Unlimited use of HOV lane for properly licensed electric vehicle

Beneficiary: Driver of a properly licensed qualified electric vehicle registered in the State of Georgia

Type of Incentive: Transportation

Effective Dates: Current benefit, no sunset date

Value of Benefit: Non-cash benefit. To apply for the special clean fuel license plate, follow the URL in the "Other Link(s)" section below.

Full Description:

Alternative Fuel Vehicles (AFV's) displaying the proper alternative fuel license plate are allowed to use HOV lanes, regardless of the number of passengers (32-9-4). Alternate fuel vehicles must have the proper license plate in order to benefit from this privilege.

Any resident motor vehicle owner desiring a special alternative fueled vehicle license plate shall submit to the commissioner a completed application form for such vehicle. If the alternative fuel vehicle is fueled by electricity, the applicant shall submit a \$25 highway user fee in addition to the regular motor vehicle registration fee (40-2-76).

State Statutory references:

- Georgia Statute 32-9-4 (reproduced below)
 - <http://www.lexis-nexis.com/hottopics/gacode/default.asp>
- Georgia Statute 40-2-76 (reproduced below)
 - <http://www.lexis-nexis.com/hottopics/gacode/default.asp>

Other Link(s):

- http://motor.etax.dor.ga.gov/forms/pdf/motor/MV_Application_Verification_Alternative_Fuel_License_Form_AFV.pdf
(Application for Clean Fuel Plates)
- <http://www.afdc.energy.gov/afdc/laws/law/GA/5183> (AFDC website)

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*** Current through the 2009 Regular Session ***

TITLE 32. HIGHWAYS, BRIDGES, AND FERRIES
CHAPTER 9. MASS TRANSPORTATION

O.C.G.A. § 32-9-4 (2009)

§ 32-9-4. Designation of travel lanes; use of such lanes

(a) The department is authorized to designate travel lanes in each direction of travel on any road in the state highway system for the exclusive or preferential use of:

(1) Buses;

(2) Motorcycles;

(3) Passenger vehicles occupied by two persons or more;

(4) Vehicles bearing alternative fueled vehicle license plates issued under Code Section 40-2-76; or

(5) Other vehicles as designated by the department. Where such designation has been made, the road shall be appropriately marked with such signs or other roadway markers and markings to inform the traveling public of the lane restrictions imposed.

(a.1) Upon approval through either legislative action in the United States Congress or regulatory action by the United States Department of Transportation to permit hybrid vehicles with fewer than two occupants to operate in a high occupancy vehicle lane, the department shall authorize hybrid vehicles, as defined in Code Section 40-2-76, to use the travel lanes designated for such vehicles as provided in paragraph (4) of subsection (a) of this Code section.

(b) No driver of any vehicle not authorized to be operated in a lane designated and signed for exclusive use shall operate such vehicle in such lane except to execute turning movements or in an emergency situation. Any person who violates this subsection shall be guilty of a misdemeanor, punishable as provided for in Code Section 40-6-54.

(c) No traffic lane shall be designated and signed for exclusive use pursuant to subsection (a) of this Code section without the approval of the State Transportation Board.

(d) The department is authorized to promulgate necessary rules and regulations in order to carry out the purposes of this Code section.

HISTORY: Code 1933, § 95A-1304, enacted by Ga. L. 1977, p. 817, § 2; Ga. L. 1993, p. 363, § 1; Ga. L. 1997, p. 1589, § 1; Ga. L. 2003, p. 450, § 2.

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*** Current through the 2009 Regular Session ***

TITLE 40. MOTOR VEHICLES AND TRAFFIC
CHAPTER 2. REGISTRATION AND LICENSING OF MOTOR VEHICLES
ARTICLE 3. PRESTIGE LICENSE PLATES AND SPECIAL PLATES FOR CERTAIN PERSONS AND VEHICLES

O.C.G.A. § 40-2-76 (2009)

§ 40-2-76. Alternative fueled vehicle license plates

(a) As used in this Code section, the term:

(1) "Alternative fuel" means methanol, denatured ethanol, and other alcohols; mixtures containing 85 percent or more or such other percentage, but not less than 70 percent, as determined by the United States secretary of energy, by rule as it existed on January 1, 1997, to provide for requirements relating to cold start, safety, or vehicle functions, by volume of methanol, denatured ethanol, and other alcohols with gasoline or other fuels; natural gas; liquefied petroleum gas; hydrogen; coal derived liquid fuels; fuels other than alcohol derived from biological materials; electricity including electricity from solar energy; and any other fuel the United States secretary of energy determined by rule as it existed on January 1, 1997, is substantially not petroleum and would yield substantial energy security benefits and substantial environmental benefits.

(2) "Alternative fueled vehicle" means:

(A) Any vehicle fueled by alternative fuel as defined in paragraph (1) of this subsection;
or

(B) A hybrid vehicle, which means a motor vehicle which draws propulsion energy from onboard sources of stored energy which include an internal combustion or heat engine using combustible fuel and a rechargeable energy storage system; and, in the case of a passenger automobile or light truck, means for any 2000 and later model, a vehicle which has received a certificate of conformity under the Clean Air Act, 42 U.S.C. Section 7401, et seq., and meets or exceeds the equivalent qualifying California low-emission vehicle standard under Section 243(e)(2) of the Clean Air Act, 42 U.S.C. Section 7583(c)(2), for that make and model year or, for any 2004 and later model, a vehicle which has received a certificate that such vehicle meets or exceeds the Bin 5 Tier II emission level established in regulations prescribed by the administrator of the Environmental Protection Agency under Section 202(i) of the Clean Air Act, 42 U.S.C. Section 7521(i), for that make and model year vehicle and which achieves a composite label fuel economy greater than or equal to 1.5 times the Model Year 2002 EPA composite class average for the same vehicle class and which is made by a

manufacturer.

(b) Subject to subsection (d) of this Code section, the commissioner shall design a special license plate to be issued for alternative fueled vehicles, which license plate shall be similar in design to the license plate issued to all other residents of the state except that the commissioner shall place a distinctive logo or emblem immediately to the left of the letters and numbers on the license plate which shall distinguish the vehicle as an alternative fueled vehicle eligible to travel in travel lanes designated for such vehicles under paragraph (4) of subsection (a) of Code Section 32-9-4. The words "alternative fueled vehicle" shall be imprinted on such special license plate in lieu of the county name decal.

(c) Any resident motor vehicle owner desiring a special alternative fueled vehicle license plate shall submit to the commissioner a completed application form for such vehicle. If the alternative fuel used by a vehicle is electricity, including without limitation electricity from solar energy, the applicant shall submit a \$25.00 highway user fee in addition to the regular motor vehicle registration fee. Upon complying with the motor vehicle registration and licensing laws and the requirements of this subsection and subject to subsection (d) of this Code section, a resident motor vehicle owner shall be issued a special license plate under this Code section.

(d) The commissioner shall retain all applications received for alternative fueled vehicle license plates until a minimum of 500 applications has been received. After receipt of 500 applications for an alternative fueled vehicle license plate, the commissioner will then design an alternative fueled vehicle license plate. If the commissioner does not receive the required minimum of 500 applications no later than July 31 of the year preceding the year of issuance of such plates, the commissioner shall not accept any applications for such license plates and all fees shall be refunded to applicants.

(e) Special license plates issued under this Code section shall be renewed annually with a revalidation decal as provided in Code Section 40-2-31; provided, however, that such a special license plate for an alternative fueled vehicle fueled by electricity, including without limitation electricity from solar energy, shall not be renewed without payment of an additional \$25.00 annual highway user fee for each such renewal, which fee shall be collected by the county tag agent at the time of collection of other registration fees and shall be remitted to the state as provided in Code Section 40-2-34.

(f) Reserved.

(g) The commissioner shall promulgate such rules and regulations as may be necessary to ensure that an applicant complies with all motor vehicle registration and licensing laws prior to issuance of a special license plate under this Code section. The commissioner is specifically authorized to promulgate all rules and regulations necessary to ensure compliance in instances where such vehicles have been transferred or sold.

(h) Special license plates issued under this Code section shall not be transferred between vehicles as provided for in Code Section 40-2-80.

HISTORY: Code 1981, § 40-2-76, enacted by Ga. L. 1997, p. 1589, § 2; Ga. L. 1998, p. 1179, § 20; Ga. L. 2000, p. 951, § 3-12; Ga. L. 2003, p. 450, § 3.

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