

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011**

**SESSION LAW 2011-95
HOUSE BILL 222**

AN ACT TO AUTHORIZE PLUG-IN ELECTRIC VEHICLES TO OPERATE IN HIGH OCCUPANCY VEHICLE LANES AND TO EXEMPT PLUG-IN ELECTRIC VEHICLES FROM THE EMISSIONS INSPECTION REQUIREMENT.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 20-4.01 reads as rewritten:

"§ 20-4.01. Definitions.

Unless the context requires otherwise, the following definitions apply throughout this Chapter to the defined words and phrases and their cognates:

- ...
- (28a) Plug-in electric vehicle. – A four-wheeled motor vehicle that meets each of the following requirements:
- a. Is made by a manufacturer primarily for use on public streets, roads, and highways and meets National Highway Traffic Safety Administration standards included in 49 C.F.R. § 571.
 - b. Has not been modified from original manufacturer specifications with regard to power train or any manner of powering the vehicle.
 - c. Is rated at not more than 8,500 pounds unloaded gross vehicle weight.
 - d. Has a maximum speed capability of at least 65 miles per hour.
 - e. Draws electricity from a battery that has all of the following characteristics:
 - 1. A capacity of not less than four kilowatt hours.
 - 2. Capable of being recharged from an external source of electricity.
-"

SECTION 2. G.S. 20-146.2(a) reads as rewritten:

"§ 20-146.2. Rush hour traffic lanes authorized.

(a) HOV Lanes. – The Department of Transportation may designate one or more travel lanes as high occupancy vehicle (HOV) lanes on streets and highways on the State Highway System and cities may designate one or more travel lanes as high occupancy vehicle (HOV) lanes on streets on the Municipal Street System. HOV lanes shall be reserved for vehicles with a specified number of passengers as determined by the Department of Transportation or the city having jurisdiction over the street or highway. When HOV lanes have been designated, and have been appropriately marked with signs or other markers, they shall be reserved for privately or publicly operated buses, and automobiles or other vehicles containing the specified number of persons. Where access restrictions are applied on HOV lanes through designated signing and pavement markings, vehicles shall only cross into or out of an HOV lane at designated openings. A motor vehicle shall not travel in a designated HOV lane if the motor vehicle has more than three axles, regardless of the number of occupants. HOV lane restrictions shall not apply to any of the following:

- (1) ~~motorcycles or~~ Motorcycles.
- (2) ~~vehicles~~ Vehicles designed to transport 15 or more passengers, regardless of the actual number of occupants.
- (3) ~~HOV lane restrictions shall not apply to emergency~~ Emergency vehicles. As used in this ~~subsection, subdivision,~~ the term "emergency vehicle" means any law enforcement, fire, police, or other government vehicle, and any



public and privately owned ambulance or emergency service vehicle, when responding to an emergency.

- (4) Plug-in electric vehicles as defined in G.S. 20-4.01(28a), regardless of the number of passengers in the vehicle. These vehicles must be able to travel at the posted speed limit while operating in the HOV lane."

SECTION 3. G.S. 20-183.2(b) reads as rewritten:

"(b) Emissions. – A motor vehicle is subject to an emissions inspection in accordance with this Part if it meets all of the following requirements:

- ...
(9) It is not a plug-in electric vehicle as defined in G.S. 20-4.01(28a)."

SECTION 4. This act is effective when it becomes law.

In the General Assembly read three times and ratified this the 18th day of May, 2011.

s/ Walter H. Dalton
President of the Senate

s/ Thom Tillis
Speaker of the House of Representatives

s/ Beverly E. Perdue
Governor

Approved 10:54 a.m. this 26th day of May, 2011