Date of Hearing: March 23, 2015

ASSEMBLY COMMITTEE ON TRANSPORTATION
Frazier, Chair
AB 210 (Gatto) – As Introduced February 2, 2015

SUBJECT: High-occupancy vehicle lanes: County of Los Angeles

SUMMARY: Requires the conversion of high-occupancy vehicle (HOV) lanes on State Route (SR) 134 and SR 210 from full-time to part-time operation. Specifically, **this bill**:

1) Prohibits, notwithstanding any other law [except if the California Department of Transportation (Caltrans) makes a specific determination, described below], an HOV lane from being established on SR 134 between SR 170 and SR 210, or on SR 210 between SR 134 and SR 57 unless the HOV lane is established on a part-time basis.

2) Requires any existing HOV lanes on these routes also to be converted to part-time operation.
3) Requires Caltrans to report to the Legislature by January 1, 2018, on the impact to traffic by converting these HOV lane segments to part-time operation.

4) Provides that, on or after May 1, 2017, if Caltrans determines that part-time operation of these lanes has resulted in an adverse impact on safety, traffic conditions, or the environment, it may notify the Assembly Committee on Transportation and the Senate Committee on Transportation and Housing of its intent to reinstate the lanes to 24-hour operation; thereafter, specifically authorizes Caltrans to reinstate full-time operation of the HOV lanes.

5) Encourages Caltrans to introduce part-time operations on other HOV lanes in Los Angeles County.

6) Makes provisions requiring the conversion of specific routes to part-time HOV operation operative on July 1, 2016, and repeals these same provisions 60 days after Caltrans notifies the Legislature of its intent to reinstate the lanes to 24-hour operation; requires Caltrans to post the date that the Legislature receives the notice on the department's web site.

EXISTING LAW:

1) Authorizes Caltrans and local authorities, with respect to highways under their respective jurisdictions, to permit preferential use of highway lanes for HOVs, under specific conditions.

2) Requires Caltrans, or the appropriate local entity, to produce engineering reports that estimate the effect of an HOV lane prior to establishing the lane. The reports must evaluate the proposals for safety, congestion, and highway capacity.

3) Vests, under federal law, state departments of transportation with responsibility for establishing occupancy requirements for vehicles using HOV lanes, except that the requirement can be no less than two occupants.

FISCAL EFFECT: Last session, the author introduced AB 405, a bill nearly identical to AB 210. According to the Assembly Appropriation Committee's analysis of AB 405, that bill would have resulted in one-time special fund costs to Caltrans of around $360,000 for sign replacement. Similar costs would have been incurred if the HOV lanes were reverted back to full-time operation.

Costs related to AB 210 are likely to be similar to those identified for last session's AB 405.

COMMENTS: The primary purpose of an HOV lane is to increase the total number of people moved through a congested corridor by offering two kinds of incentives: a savings in travel time and a reliable and predictable travel time. Because HOV lanes carry vehicles with a higher number of occupants, they may move significantly more people during congested periods, even when the number of vehicles that use the HOV lane is lower than on the adjoining general-purpose lanes.

State and regional transportation agencies are required to ensure that federally supported highway and transit projects do not cause new air quality violations, worsen existing violations, or delay timely attainment of air quality standards. Consequently, when transportation agencies identify a need to add highway capacity, their options are limited. They often rely on the addition of HOV lanes, which are generally considered a viable solution to adding highway capacity in nonattainment areas—i.e., where air quality is worse than the national ambient air quality standards.

In northern California, HOV lanes are only operational Monday through Friday during posted peak congestion hours, for example between 6 a.m. - 10 a.m. and 3 p.m. - 7 p.m. All other vehicles may use the lanes during off-peak hours. This is referred to as "part-time" operation. In southern California, HOV lanes are generally separated from other lanes by a buffer zone. HOV lanes are in effect 24 hours a day, 7 days a week--referred to as "full-time" operation. (SR 14 is an exception. Previous legislation (AB 1871, Runner, Chapter 337, Statutes of 2000) created a demonstration project to evaluate part-time use of the HOV lanes on SR 14. Caltrans continues to operate part-time HOV lanes on a portion of SR 14.)

The operational practices vary differently between northern California versus southern California because of traffic volumes and commuter patterns in the two regions. Northern California highways usually experience two weekday congestion periods during peak morning and afternoon commute hours, followed by a long period of non-congestion. Full-time operation would leave the HOV lane relatively unoccupied during off-peak hours and would not constitute an efficient use of the roadway. Southern California normally experiences very long hours of congestion, typically between six to eleven hours per day, with short off-peak traffic hours. Part-time operation under these conditions is generally considered infeasible.

HOV lanes work best where significant roadway congestion during peak periods occurs. (Optimum HOV lane usage is generally considered to be about 1,650 vehicles per hour. In contrast, mixed-flow lanes are generally expected optimally to carry between 1,800 and 2,000 vehicles per hour.) Experience with HOV lanes from around the country has shown a positive relationship between ridership and travel time savings, suggesting that, as congestion grows, the travelers' willingness to carpool or ride on a bus that uses an HOV lane also grows.

Caltrans reports annually on the use of its HOV system. In its 2014 HOV report, Caltrans reported that the average peak-hour volume in the SR 134 HOV lane was 1,157 vehicles, notably below the optimum volume of 1,650 vehicles per hour. In the SR 210 HOV lane, Caltrans reported the average peak-hour usage at 1,281 vehicles. Data for both highways indicate that the HOV lane usage drops substantially after the 6:00 p.m. hour.

The author introduced this bill because "motorists who do not qualify for the carpool lane are frequently caught in bumper-to-bumper traffic at odd hours of the night while carpool lanes may be underutilized. This bill would offer an opportunity for flexibility, especially in areas where people drive the freeways at all hours of the day."

Previous Legislation: Last session, the Legislature passed AB 405 (Gatto), a bill identical to AB 210 except for the specified dates. AB 405 received only two "NO" votes on both the Assembly and Senate Floors. Governor Brown vetoed the bill stating, "Carpool lanes are especially important in Los Angeles County to reduce pollution and maximize use of freeways. We should retain the current 24/7 carpool lane control."

AB 2200 (Ma) of 2012, would have suspended the HOV lane on eastbound Interstate 80 in the San Francisco Bay Area during the morning commute. That bill was passed by the Legislature but ultimately vetoed by Governor Brown. In his veto message, the Governor stated, "Encouraging carpooling is important to reduce pollution and make more efficient use of our highways. This bill goes in a wrong direction."

AB 1871 (Runner), Chapter 337, Statutes of 2000, prohibited, until June 1, 2002, HOV lanes from being constructed on SR 14 between the City of Santa Clarita and the City of Palmdale unless the lane was established as an HOV lane only during the hours of heavy commuter traffic. That bill also required the Legislative Analyst Office to report on the traffic impact of the part-time HOV lanes. That report found that limiting the HOV lane to part-time operation had "essentially no effect on traffic congestion, either positive or negative."

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

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