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Carpool lanes open to hybrids

State will give solo drivers in three gas-sipping cars a helping hand in traffic.

By Tony Bizjak -- Bee Staff Writer

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After months of uncertainty, California will open its carpool lanes to solo drivers in high-mileage hybrid vehicles.

The decision, announced Wednesday by the Schwarzenegger administration, puts into effect a California law passed nearly a year ago to encourage the state's drivers to buy fuel-efficient vehicles.

State officials had been waiting since then for federal officials to give their blessing to the law.

The federal transportation act signed Wednesday by President Bush gives states the authority to allow cleaner, high-mileage cars in carpool lanes. Its wording does not, however, match the wording of the more stringent California law.

Schwarzenegger administration officials say they decided to implement the law anyway, after state Air Resources Board attorneys consulted privately with federal transportation officials.

ARB spokeswoman Gennet Paauwe declined to offer details of those talks.

"We determined the (president's) signing today gave California the approval it needed," Paauwe said.

Acknowledging opposition to the law from some American automakers, Paauwe said, "We have been sued before by automakers, and it could happen here, but we're hopeful that won't be the case."

The law goes into effect immediately, Department of Motor Vehicles officials said.

DMV officials said they have a window sticker program ready to go. Hybrid owners must fill out an application, available on the DMV Web site, and mail it to the DMV with an \$8 check, officials said. Those officials said they should be able to mail windshield stickers to qualifying drivers within two weeks.

Only hybrid vehicles that get more than 45 miles to the gallon, however, will be allowed with a single occupant in carpool lanes, DMV officials said Wednesday.

The three gas-electric models that the Air Resources Board says currently qualify are the Toyota Prius and Honda's Insight and Civic Hybrid.

They will join a growing list of single-occupant vehicles allowed during commute hours into carpool lanes - marking a continuing shift in the state's philosophy on how carpool lanes are used.

Initially designed to encourage people to commute in groups, the state's 1,112 miles of high occupancy vehicle lanes, known as diamond lanes, also allow buses, motorcycles and a handful of vehicles that run on all-electric power or on compressed natural gas.

The law was strongly championed by Gov. Arnold Schwarzenegger and by state Treasurer Phil Angelides.

Schwarzenegger, in a press release, hailed the decision to open carpool lanes to certain hybrids as "a common-sense policy that represents yet another step toward cleaning up our environment and reducing air pollution."

"The more we can encourage Californians to buy and drive cleaner-air hybrid cars and trucks, and give them some incentive to do so, the better off we will all be," the governor said.

State officials said 57,164 hybrid vehicles were registered in California as of last month, already a significant increase from 34,000 a year ago.

California law allows up to 75,000 hybrid and other highly clean vehicles to use carpool lanes until the end of 2007.

At that point, single-occupant hybrids will no longer be allowed in carpool lanes unless state officials extend the privilege.

By then, state Assemblywoman Fran Pavley, who wrote the bill, said she hopes many more consumers will have bought the higher-mileage hybrids.

Gas-electric hybrid technology saves fuel and reduces pollution by letting a vehicle run at certain speeds on an electric motor.

Major American automakers, however, have been announcing plans recently to produce a new generation of larger gas-electric vehicles that will use hybrid technology for more powerful engines rather than for increased gas mileage.

Ford Motor Co. Chairman Bill Ford challenged the California law during the legislative debate last year because it excluded, for instance, Ford's new 35-mpg Escape hybrid sport-utility vehicle. In a letter to the governor, Ford called the plan a "buy Japanese" bill and a "special-interest measure ... intended for almost exclusive use by Toyota Prius drivers."

Angelides, a Democratic candidate for governor, responded that "what Bill Ford ought to be focusing on is how Ford can make the most fuel-efficient vehicles and how Ford can beat the Japanese."

The law also has been challenged by some transportation advocates in metropolitan areas, such as the Bay Area Transportation and Land Use Coalition, whose officials complain the law could clog carpool lanes, making them less useful for their primary users, buses and carpoolers.

Hybrid owners in turn have expressed frustration that they've had to wait for nearly nine months for the state law to go in effect.

Holly Brickner, a Sacramento real estate agent who owns three hybrid vehicles, applauded the law, although she said she thought all hybrids should be given the carpool lane privilege.

"Any way government can incentivize people to purchase hybrids makes sense," she said.

State Air Resources Board officials have posted those vehicles that qualify on the agency's Web site at www.arb.ca.gov/msprog/carpool/carpool.htm.

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