

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2011

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HOUSE BILL 222\*

Short Title: Electric Vehicle Incentives. (Public)

Sponsors: Representatives Lewis, Gibson, and Samuelson (Primary Sponsors).  
For a complete list of Sponsors, see Bill Information on the NCGA Web Site.

Referred to: Transportation.

March 3, 2011

1 A BILL TO BE ENTITLED  
2 AN ACT TO AUTHORIZE PLUG-IN ELECTRIC VEHICLES TO OPERATE IN HIGH  
3 OCCUPANCY VEHICLE LANES AND TO EXEMPT PLUG-IN ELECTRIC VEHICLES  
4 FROM THE EMISSIONS INSPECTION REQUIREMENT.

5 The General Assembly of North Carolina enacts:

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

7 "**§ 20-4.01. Definitions.**

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

10 ...

11 (28a) Plug-in electric vehicle. – A four-wheeled motor vehicle that meets each of  
12 the following requirements:

- 13 a. Is made by a manufacturer primarily for use on public streets, roads,  
14 and highways.  
15 b. Has not been modified from original manufacturer specifications.  
16 c. Is rated at not more than 8,500 pounds unloaded gross vehicle  
17 weight.  
18 d. Has a maximum speed capability of at least 65 miles per hour.  
19 e. Draws electricity from a battery that has all of the following  
20 characteristics:  
21 1. A capacity of not less than four kilowatt hours.  
22 2. Capable of being recharged from an external source of  
23 electricity.  
24 3. Acquired by the taxpayer on or after October 1, 2010.

25 ...."

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

27 "**§ 20-146.2. Rush hour traffic lanes authorized.**

28 (a) HOV Lanes. – The Department of Transportation may designate one or more travel  
29 lanes as high occupancy vehicle (HOV) lanes on streets and highways on the State Highway  
30 System and cities may designate one or more travel lanes as high occupancy vehicle (HOV)  
31 lanes on streets on the Municipal Street System. HOV lanes shall be reserved for vehicles with  
32 a specified number of passengers as determined by the Department of Transportation or the city  
33 having jurisdiction over the street or highway. When HOV lanes have been designated, and  
34 have been appropriately marked with signs or other markers, they shall be reserved for  
35 privately or publicly operated buses, and automobiles or other vehicles containing the specified



1 number of persons. Where access restrictions are applied on HOV lanes through designated  
2 signing and pavement markings, vehicles shall only cross into or out of an HOV lane at  
3 designated openings. A motor vehicle shall not travel in a designated HOV lane if the motor  
4 vehicle has more than three axles, regardless of the number of occupants. HOV lane restrictions  
5 shall not apply to any of the following:

6 (1) ~~motorcycles or~~ Motorcycles.

7 (2) ~~vehicles~~ Vehicles designed to transport 15 or more passengers, regardless of  
8 the actual number of occupants.

9 (3) ~~HOV lane restrictions shall not apply to emergency~~ Emergency vehicles. As  
10 used in this ~~subsection, subdivision,~~ the term "emergency vehicle" means  
11 any law enforcement, fire, police, or other government vehicle, and any  
12 public and privately owned ambulance or emergency service vehicle, when  
13 responding to an emergency.

14 (4) Plug-in electric vehicles as defined in G.S. 20-4.01(28a), regardless of the  
15 number of passengers in the vehicle."

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

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

19 ...

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

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