

Department of Legislative Services
Maryland General Assembly
2013 Session

FISCAL AND POLICY NOTE

House Bill 1149 (Delegate Luedtke)
Environmental Matters

Vehicle Laws - Stopping, Standing, and Parking - Plug-In Vehicles

This bill prohibits stopping, standing, or parking a vehicle that is not a plug-in vehicle in a space that provides access to a plug-in vehicle recharging station and is marked for the use of plug-in vehicles.

Fiscal Summary

State Effect: The bill is not anticipated to materially affect State operations or finances.

Local Effect: The bill is not anticipated to materially affect local operations or finances.

Small Business Effect: Minimal.

Analysis

Bill Summary: The bill defines a “plug-in vehicle” as an unmodified vehicle of 8,500 pounds or less, that is manufactured primarily for use on public highways, and:

- can achieve speeds of at least 65 miles per hour;
- can be recharged from an external source of electricity; and
- is equipped with batteries of specified electrical capacities, based on the number of wheels.

Current Law/Background: Plug-in vehicles, which include hybrid-electric vehicles (*e.g.*, the Chevrolet Volt) and vehicles without gasoline-powered motors (*e.g.*, the Nissan Leaf), have experienced a recent resurgence in popularity. Many of the largest automakers in the world are now in various stages of development or production of at least one plug-in vehicle model line. Although plug-in electric vehicles represent a small

percentage of total vehicle sales, the rate of growth in sales for these vehicles has been significant. According to data from the Motor Vehicle Administration, only 1 electric vehicle was registered in Maryland in fiscal 2010, but there were 72 in fiscal 2011 and 657 in fiscal 2012. Additionally, 875 electric vehicle excise tax exemptions have been granted in fiscal 2013 (through January 2013); this represents more than 1% of all vehicles titled.

However, instituting a transition to vehicles that require stored electricity for power could lead to a host of challenges for government at all levels. Chapters 400 and 401 of 2011 (SB 176/HB 167) established the Maryland Electric Vehicle Infrastructure Council, which is charged with developing an action plan for facilitating the integration of electric vehicles and making recommendations on a number of policy issues with regard to the development of electric vehicle infrastructure and the promotion of electric vehicles.

In December 2012, the council released its final report, which included a comment on SB 340/HB 108 of 2012, legislation that was identical to this bill upon introduction. The report recommended that action on this issue be deferred until local governments and/or market forces have had more opportunity to address the nuanced issues involved. These issues included the amount of time that an electric vehicle should be allowed to be plugged-in to a charger and whether the amount of time should vary for parking spaces located on different types of properties. The report did recognize the difficulty posed by the fact that up to 46% of Maryland residents do not have private access to an electrical outlet for charging an electric vehicle. To address this, the report envisions establishing a pilot project that could include working with county and municipal governments to identify off-street outdoor parking locations for local resident electric vehicle charging.

The Maryland Vehicle Law governs the stopping, standing, and parking of vehicles, with various restrictions applicable under certain circumstances or within certain jurisdictions. A local authority, in the reasonable exercise of its police power, may also regulate or prohibit the stopping, standing, or parking of vehicles on highways within its jurisdiction. Generally, a violation of the Maryland Vehicle Law is a misdemeanor (unless specifically declared a felony or administrative infraction) that carries a fine of up to \$500. The amount of the prepayable fine for a violation of the most provisions regulating stopping, standing, or parking is \$50, \$60, or \$70, depending on the specific violation.

State Fiscal Effect: According to Maryland Electric Vehicle Infrastructure Council final report, there are 73 plug-in vehicle charging stations owned by State agencies, and according to the U.S. Department of Energy, there are at least 164 stations in Maryland. Many of these stations are not located on the street but rather in parking lots or garages. It is unclear how many additional stations may be placed in locations that are currently adjacent to street parking in the next five years, but the number is assumed to be relatively low. Therefore, the number of stopping, standing, and parking penalties under

the bill's prohibition is assumed to be negligible; consequently, any increase in general fund revenues collected by the District Court under the bill is assumed to be negligible within the next five fiscal years.

Local Fiscal Effect: Local government revenues may increase minimally statewide due to the application of existing stopping, standing, and parking penalties. Local fine revenues may increase more significantly as plug-in vehicles become more prevalent. Local expenditures may increase negligibly to the extent that a jurisdiction decides to procure and place new signs governing the stopping, standing, or parking in places designated for plug-in vehicles. Local parking enforcement workloads may increase minimally to enforce the bill.

Additional Information

Prior Introductions: HB 108 of 2012 was referred to interim study by the House Environmental Matters Committee. Its cross file, SB 340, passed the Senate with amendments but was also referred to interim study by the House Environmental Matters Committee.

Cross File: None.

Information Source(s): Anne Arundel, Charles, Frederick, and Montgomery counties; Maryland Department of the Environment; Judiciary (Administrative Office of the Courts); Maryland Energy Administration; Maryland Department of Transportation; Maryland Electric Vehicle Infrastructure Council; U.S. Department of Energy; Department of Legislative Services

Fiscal Note History: First Reader - March 1, 2013
ncs/ljm

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