

HOUSE BILL 839

R5

6lr0905

By: **Delegates Lam, Barve, Ebersole, Fraser-Hidalgo, Frick, Krimm, Lafferty,
Luedtke, Platt, and Turner**

Introduced and read first time: February 8, 2016

Assigned to: Environment and Transportation

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 17, 2016

CHAPTER _____

1 AN ACT concerning

2 **Vehicle Laws – Plug-In Electric Drive Vehicles – Reserved Parking Spaces**

3 FOR the purpose of prohibiting a person from stopping, standing, or parking a vehicle that
4 is not a plug-in electric drive vehicle ~~connected for charging purposes~~ in a parking
5 space that is designated in a certain manner for the use of plug-in electric drive
6 vehicles; establishing certain standards for signage designating reserved parking for
7 certain plug-in electric drive vehicles; requiring that a parking space that is for the
8 use of plug-in electric drive vehicles have certain pavement markings; authorizing
9 a parking facility to have a vehicle that is stopped, standing, or parked in violation
10 of this Act towed or removed under certain circumstances and subject to certain
11 standards and requirements; requiring that a parking space that is for the use of
12 plug-in electric drive vehicles be counted in a certain way for complying with certain
13 laws intended to meet certain requirements under the Americans with Disabilities
14 Act; defining a certain term; establishing a civil penalty for a violation of this Act;
15 and generally relating to reserved parking spaces for plug-in electric drive vehicles.

16 BY repealing and reenacting, without amendments,

17 Article – Transportation

18 Section 11-145.1

19 Annotated Code of Maryland

20 (2012 Replacement Volume and 2015 Supplement)

21 BY adding to

22 Article – Transportation

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 Section 21–1003.2 and 27–116
2 Annotated Code of Maryland
3 (2012 Replacement Volume and 2015 Supplement)

4 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
5 That the Laws of Maryland read as follows:

6 **Article – Transportation**

7 11–145.1.

8 (a) “Plug–in electric drive vehicle” means a motor vehicle that:

9 (1) Is made by a manufacturer;

10 (2) Is manufactured primarily for use on public streets, roads, and
11 highways;

12 (3) Is rated at not more than 8,500 pounds unloaded gross vehicle weight;

13 (4) Has a maximum speed capability of at least 55 miles per hour; and

14 (5) Is propelled to a significant extent by an electric motor that draws
15 electricity from a battery that:

16 (i) Has a capacity of not less than 4 kilowatt–hours for 4–wheeled
17 motor vehicles and not less than 2.5 kilowatt–hours for 2–wheeled or 3–wheeled motor
18 vehicles; and

19 (ii) Is capable of being recharged from an external source of
20 electricity.

21 (b) “Plug–in electric drive vehicle” includes a qualifying vehicle that has been
22 modified from original manufacturer specifications.

23 **21–1003.2.**

24 **(A) IN THIS SECTION, “PLUG–IN ELECTRIC DRIVE VEHICLE CHARGING**
25 **SPACE” MEANS A PARKING SPACE THAT PROVIDES ACCESS TO CHARGING**
26 **EQUIPMENT THAT TRANSFERS ELECTRICAL ENERGY TO A PLUG–IN ELECTRIC DRIVE**
27 **VEHICLE.**

28 **(B) UNLESS THE VEHICLE IS A PLUG–IN ELECTRIC DRIVE VEHICLE ~~THAT IS~~**
29 **~~CONNECTED TO CHARGING EQUIPMENT FOR CHARGING PURPOSES,~~ A PERSON MAY**
30 **NOT STOP, STAND, OR PARK THE VEHICLE IN A DESIGNATED PLUG–IN ELECTRIC**
31 **DRIVE VEHICLE CHARGING SPACE.**

1 (C) A SIGN DESIGNATING A PLUG-IN ELECTRIC DRIVE VEHICLE CHARGING
2 SPACE SHALL:

3 (1) BE AT LEAST 18 INCHES HIGH AND 12 INCHES WIDE;

4 (2) BE CLEARLY VISIBLE TO THE DRIVER OF A MOTOR VEHICLE
5 ENTERING THE PLUG-IN ELECTRIC DRIVE VEHICLE CHARGING SPACE; ~~AND~~

6 (3) STATE ~~THAT A MOTOR VEHICLE PARKED IN VIOLATION OF THIS~~
7 ~~SECTION MAY BE TICKETED, TOWED, OR REMOVED AT THE OWNER'S EXPENSE~~ THE
8 MAXIMUM FINE THAT MAY BE INCURRED FOR A VIOLATION; AND

9 (4) MEET ANY APPLICABLE STATE AND FEDERAL REQUIREMENTS
10 FOR PARKING SIGNS.

11 (D) A PLUG-IN ELECTRIC DRIVE VEHICLE CHARGING SPACE SHALL BE
12 INDICATED BY GREEN PAVEMENT MARKINGS.

13 (E) (1) A PRIVATELY OWNED PARKING FACILITY MAY HAVE A VEHICLE
14 THAT IS STOPPED, STANDING, OR PARKED IN VIOLATION OF THIS SECTION TOWED
15 OR REMOVED IN ACCORDANCE WITH SUBTITLE 10A OF THIS TITLE.

16 (2) (I) A PARKING FACILITY OWNED BY A LOCAL JURISDICTION
17 MAY HAVE A VEHICLE THAT IS STOPPED, STANDING, OR PARKED IN VIOLATION OF
18 THIS SECTION TICKETED, TOWED, OR REMOVED IF AUTHORIZED BY LOCAL LAW.

19 (II) A LOCAL LAW AUTHORIZING THE TOWING OR REMOVAL OF
20 A VEHICLE AS DESCRIBED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL BE
21 EQUIVALENT TO OR EXCEED THE STANDARDS AND REQUIREMENTS ESTABLISHED
22 UNDER SUBTITLE 10A OF THIS TITLE.

23 (F) A PLUG-IN ELECTRIC DRIVE VEHICLE CHARGING SPACE SHALL BE
24 COUNTED AS PART OF THE OVERALL NUMBER OF PARKING SPACES IN A PARKING
25 LOT FOR THE PURPOSE OF COMPLYING WITH ANY ZONING OR PARKING LAWS
26 INTENDED TO MEET REQUIREMENTS FOR COMMERCIAL AND INDUSTRIAL USES
27 UNDER THE AMERICANS WITH DISABILITIES ACT.

28 27-116.

29 A PERSON WHO VIOLATES § 21-1003.2 OF THIS ARTICLE (“UNAUTHORIZED
30 PARKING IN A PLUG-IN ELECTRIC DRIVE VEHICLE CHARGING SPACE”) IS SUBJECT
31 TO A CIVIL PENALTY OF \$100.

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1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2016.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.