

SENATE BILL 302

R5

7lr1101
CF HB 36

By: **Senators Feldman, Guzzone, Kelley, King, Madaleno, Middleton, Rosapepe, and Smith**

Introduced and read first time: January 20, 2017

Assigned to: Judicial Proceedings

A BILL ENTITLED

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 in a parking space that is designated in a
5 certain manner for the use of plug–in electric drive vehicles; establishing certain
6 standards for signage designating reserved parking for certain plug–in electric drive
7 vehicles; requiring that a parking space that is for the use of plug–in electric drive
8 vehicles have certain pavement markings; authorizing a parking facility to have a
9 vehicle that is stopped, standing, or parked in violation of this Act towed or removed
10 under certain circumstances and subject to certain standards and requirements;
11 requiring that a parking space that is for the use of plug–in electric drive vehicles be
12 counted in a certain way for complying with certain laws intended to meet certain
13 requirements under the Americans with Disabilities Act; defining a certain term;
14 establishing a civil penalty for a violation of this Act; and generally relating to
15 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 2016 Supplement)

21 BY adding to
22 Article – Transportation
23 Section 21–1003.2
24 Annotated Code of Maryland
25 (2012 Replacement Volume and 2016 Supplement)

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



Article – Transportation

11–145.1.

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

(1) Is made by a manufacturer;

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

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

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

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

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

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

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

21–1003.2.

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

(B) UNLESS THE VEHICLE IS A PLUG–IN ELECTRIC DRIVE VEHICLE, A PERSON MAY NOT STOP, STAND, OR PARK A VEHICLE IN A DESIGNATED PLUG–IN ELECTRIC DRIVE VEHICLE CHARGING SPACE.

(C) A SIGN DESIGNATING A PLUG–IN ELECTRIC DRIVE VEHICLE CHARGING SPACE SHALL:

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

1 **(2) BE CLEARLY VISIBLE TO THE DRIVER OF A MOTOR VEHICLE**
2 **ENTERING THE PLUG-IN ELECTRIC DRIVE VEHICLE CHARGING SPACE;**

3 **(3) STATE THE MAXIMUM FINE THAT MAY BE INCURRED FOR A**
4 **VIOLATION; AND**

5 **(4) MEET ANY APPLICABLE STATE AND FEDERAL REQUIREMENTS**
6 **FOR PARKING SIGNS.**

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

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

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

15 **(II) A LOCAL LAW AUTHORIZING THE TOWING OR REMOVAL OF**
16 **A VEHICLE AS DESCRIBED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL BE**
17 **EQUIVALENT TO OR EXCEED THE STANDARDS AND REQUIREMENTS ESTABLISHED**
18 **UNDER SUBTITLE 10A OF THIS TITLE.**

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

24 **(G) A PERSON WHO VIOLATES THIS SECTION IS SUBJECT TO A CIVIL**
25 **PENALTY OF \$100.**

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
27 October 1, 2017.