

Department of Legislative Services
Maryland General Assembly
2020 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 474

(Senator Lam)

Judicial Proceedings

Vehicle Laws - Plug-In Electric Drive Vehicles - Reserved Parking Spaces

This bill prohibits stopping, standing, or parking a vehicle in a designated “plug-in electric drive vehicle charging space,” unless that vehicle is a plug-in electric drive vehicle. The bill establishes requirements for signage and pavement markings for such designated vehicle charging spaces. The bill also establishes that a person who violates the bill’s provisions is subject to a civil penalty of \$50.

The bill authorizes a parking facility that is privately owned or owned by a local government to have a vehicle towed or removed if it is in violation of the bill’s restriction. Local governments may also ticket vehicles in violation of the bill. Any local law authorizing towing or removal from a facility owned by a local government must meet or exceed the standards set forth in the State towing laws.

Fiscal Summary

State Effect: General fund revenues may increase minimally beginning in FY 2021, assuming existing prohibitions related to stopping, standing, and parking where prohibited by an official sign are not already used for this purpose. Expenditures (all funds) increase minimally for various State agencies to procure signs and mark spaces as required in FY 2021; thereafter, any such costs associated with new charging spaces can likely be absorbed within existing budgeted resources.

Local Effect: Local government revenues may increase minimally beginning in FY 2021, assuming existing prohibitions related to stopping, standing, and parking where prohibited by an official sign or a local parking ordinance are not already used for this purpose. Local government expenditures increase minimally to procure signs and mark spaces compliant with the bill. Otherwise, enforcement can be handled with existing resources.

Small Business Effect: Minimal.

Analysis

Bill Summary: The bill defines “plug-in electric drive vehicle charging space” as a parking space that provides access to charging equipment that transfers electrical energy to a plug-in electric drive vehicle.

The bill requires a sign designating a parking space for such vehicles to be at least 18 inches high and 12 inches wide, be clearly visible to the driver entering the space, and state the maximum fine that may be incurred for a violation. The sign must also meet any applicable State and federal requirements for parking signs. A plug-in electric drive vehicle charging space must be indicated by pavement markings that meet requirements established by the Maryland Department of Transportation (MDOT). MDOT is required to adopt regulations to carry out the bill’s requirements.

The bill also establishes that a plug-in electric drive vehicle charging space must be counted as part of the overall number of parking spaces in a parking lot for the purpose of complying with any zoning or parking laws intended to meet requirements for commercial and industrial uses under the Americans with Disabilities Act.

Current Law/Background: According to the U.S. Department of Energy, as of March 2020, Maryland has 1,957 public electric vehicle charging outlets and 656 stations, which ranks ninth in the United States in terms of the number of public charging stations.

Sales of Plug-in Vehicles

Plug-in vehicles, which include hybrid-electric vehicles (*e.g.*, the Chevrolet Volt) and vehicles without gasoline-powered motors (*e.g.*, the Nissan Leaf and Tesla Model S), have grown in popularity in recent years, with dozens of vehicle models from major manufacturers now available. Although plug-in electric vehicles represent a small percentage of total vehicle sales, the rate of growth in sales for these vehicles has generally been significant.

The Maryland Clean Cars Act of 2007 requires Maryland to adopt a Zero Emissions Vehicle program applicable to vehicles beginning in model year 2011. State regulations require manufacturers to comply with California Zero Emission Vehicle Requirements, which generally rely on the use of a system of credits to ensure that a sufficient number of low- and zero-emission vehicles are sold.

According to data from the Motor Vehicle Administration and the Maryland Zero Emission Electric Vehicle Infrastructure Council (ZEEVIC), the total number of plug-in vehicles registered in Maryland increased from 609 in fiscal 2012 to 15,074 in fiscal 2018.

Implementation of Maryland Electric Vehicle Infrastructure Council Recommendations

Chapters 400 and 401 of 2011 established the council as the Maryland Electric Vehicle Infrastructure Council (EVIC) and required it to develop a plan to expand the adoption of electric vehicles and develop an infrastructure charging network. In its (then) final report issued in December 2012, the council made several recommendations, including (1) extending EVIC through June 2015; (2) increasing the amount of zero-emission State fleet vehicle purchases to 10% by 2020 and at least 25% by 2025; (3) establishing a grant program for electric vehicle support equipment installation and procurement of transaction management software for multiunit dwellings; and (4) extending the recharging equipment tax credit through December 2016, and the qualified electric vehicle excise tax credit to July 1, 2016.

Chapters 64 and 65 of 2013 extended EVIC through June 2015. Further, Chapters 359 and 360 of 2014 extended the termination date of the tax credit program through fiscal 2017, altered the value of the tax credits, and replaced the electric vehicle recharging equipment income tax credit with a rebate program. Chapter 378 of 2015 subsequently extended EVIC to June 30, 2020, and shifted the reporting deadline to December 1 of each year, with a final report due June 30, 2020. Chapter 363 of 2017 extended the termination dates of the qualified plug-in electric vehicle excise tax credit and the Electric Vehicle Recharging Equipment Rebate Program through fiscal 2020. Chapter 213 of 2019 changed the name of the council to be ZEEVIC, expanded membership of the council, altered its responsibilities to focus more generally on zero emission vehicles and fuel cell electric vehicles, and required an additional interim report (on December 1, 2019).

The 2018 Annual EVIC report contained two policy recommendations: (1) a “right to charge” policy initiative clarifying how chargers can be installed and operated for nonsingle-family homes, such as apartment buildings, condominiums, and homeowners associations; and (2) the elimination of nonelectric vehicle parking in electric vehicle charging spaces. As of early March 2020, the 2019 ZEEVIC annual report is not yet available.

Stopping, Standing, and Parking of Vehicles

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 that carries a fine of up to \$500. The amount of the prepaid fine for a violation of most provisions regulating stopping, standing, or parking is generally \$50, \$60, or \$70, depending on the specific violation.

Additional Information

Prior Introductions: SB 316 of 2019 received an unfavorable report from the Senate Judicial Proceedings Committee. HB 598 of 2018, a nearly identical bill, received an unfavorable report from the House Environment and Transportation Committee. HB 36 of 2017, another nearly identical bill, received an unfavorable report from the House Environment and Transportation Committee. Its cross file, SB 302, received an unfavorable report from the Senate Judicial Proceedings Committee. In addition, similar bills were introduced in the 2016 and 2014 sessions.

Designated Cross File: None.

Information Source(s): Baltimore City; Harford and Montgomery counties; Maryland Association of Counties; Maryland Municipal League; University System of Maryland; Department of General Services; Department of Natural Resources; Department of State Police; Maryland Department of Transportation; U.S. Department of Energy; Department of Legislative Services

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Analysis by: Eric F. Pierce

Direct Inquiries to:
(410) 946-5510
(301) 970-5510