HB 1020

Department of Legislative Services

Maryland General Assembly
2014 Session

FISCAL AND POLICY NOTE

House Bill 1020 (Delegates Murphy and F. Turner)
Environmental Matters

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

This bill prohibits stopping, standing, or parking a vehicle that is not a plug-in electric drive vehicle in a space that provides access to a plug-in electric drive vehicle recharging station and is marked for the use of plug-in electric drive vehicles. The bill requires that the sign designating a parking space for such vehicles be at least 24 inches high and 30 inches wide, be clearly visible to the driver entering the space, and state that a vehicle parked in violation of the bill may be ticketed or towed at the owner's expense. The bill authorizes a parking facility that is privately owned or owned by a local government to have a vehicle towed if it is in violation of the bill's restriction; any local law authorizing towing from a facility owned by a local government must meet or exceed the standards set forth in the State trespass towing laws.

Fiscal Summary

State Effect: General fund revenues increase minimally beginning in FY 2015 from the application of existing penalties to the bill's prohibition. Expenditures (all funds) may increase minimally for various State agencies to procure signs compliant with the bill.

Local Effect: Local government revenues increase minimally beginning in FY 2015 from the application of existing penalties to the bill's prohibition. Local government expenditures may increase minimally to procure signs compliant with the bill.

Small Business Effect: Minimal.

Analysis

Current Law/Background: Chapters 64 and 65 of 2013, among other things, established a standard definition for a "plug-in electric drive vehicle" to harmonize several slightly different definitions that were previously enacted. Chapters 64 and 65 then extended two previously enacted benefits for plug-in electric drive vehicles: the authorization for the use of high occupancy vehicle lanes and the availability of a tax credit.

Plug-in vehicles, which include hybrid-electric vehicles (*e.g.*, the Chevrolet Volt) and vehicles without gasoline-powered motors (*e.g.*, the Nissan Leaf), experienced a recent resurgence in popularity that has led to commercialization of several vehicle models from a few major manufacturers. 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 was significant until fiscal 2013. According to data from the Motor Vehicle Administration, only 1 electric vehicle was registered in Maryland in fiscal 2010, 72 vehicles were registered in fiscal 2011, and 2,597 vehicles were registered in fiscal 2012. However, the number of vehicles newly registered subsequently dropped sharply, as only 2,727 vehicles were registered in Maryland in fiscal 2013; this growth rate matched the growth rate for hybrid vehicles, a much more mature technology.

Instituting a transition to vehicles that require stored electricity for power has presented a host of challenges for government at all levels. Chapters 400 and 401 of 2011, therefore, established the Maryland Electric Vehicle Infrastructure Council, 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 with similar provisions. 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 did 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 that carries a fine of up to $500. The amount of the prepayable fine for a violation of most provisions regulating stopping, standing, or parking is generally $50, $60, or $70, depending on the specific violation.

State Fiscal Effect: According to the U.S. Department of Energy, 574 plug-in vehicle charging outlets and 220 different publicly available charging stations were located in Maryland as of February 8, 2014 (ranked twelfth among the states and the District of Columbia in terms of the greatest number of charging outlets, and tenth in terms of persons per charger). Therefore, the number of stopping, standing, and parking penalties under the bill's prohibition is assumed to be minimal; consequently, any increase in general fund revenues collected by the District Court under the bill is assumed to be minimal within the next five fiscal years.

State expenditures (all funds) may increase minimally to procure signs that comply with the bill's specifications. For example, the Department of General Services advises that its two plug-in electric vehicle charging station signs are not compliant with the bill and must be replaced at an estimated cost of $300.

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 and charging stations become more prevalent.

Local expenditures may increase minimally to procure and install new signs that are compliant with the bill's specifications. For example, Baltimore County advises that the cost to replace its several plug-in electric vehicle charging station signs is between $100 and $200 per sign. Finally, local parking enforcement workloads may increase minimally to enforce the bill.

Additional Information

Prior Introductions: A bill with similar provisions, HB 108 of 2012, was referred to interim study by the House Environmental Matters Committee. Its cross file, SB 340, was amended in the Senate but was referred to interim study by the House Environmental Matters Committee.

Cross File: None.

Information Source(s): Baltimore, Charles, Frederick, and Montgomery counties; the cities of Frederick and Havre de Grace; Department of Natural Resources; Department of General Services; Maryland Department of Transportation; University System of Maryland; U.S. Department of Energy; Department of Legislative Services

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