

Department of Legislative Services  
Maryland General Assembly  
2012 Session

FISCAL AND POLICY NOTE

House Bill 108 (Delegate Luedtke, *et al.*)  
Environmental Matters

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

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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.

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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 or none.

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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.

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 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.

Electric vehicle infrastructure development in Maryland has also been supported by the enactment of several other laws following the 2011 session. Chapter 402 created a tax credit for 20% of the cost of qualifying electric vehicle recharging equipment, while Chapters 403 and 404 require the Public Service Commission (PSC) to establish a pilot program by June 30, 2013, for electric utility customers to recharge electric vehicles during off-peak hours. In enacting these laws, Maryland joins 27 other states that, as of May 2011, have enacted some form of electric vehicle incentive, according to the National Conference of State Legislatures.

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 data from the Maryland Energy Administration, as of the end of summer 2011, there were 80 plug-in vehicle charging stations in Maryland, many of which were established under the Electric Vehicle Infrastructure Program. Many of these stations are not located on the street, but rather in parking lots or garages. It is unclear how many additional stations will 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 revenue collected by the District Court in contested cases 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 within the next several decades. 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.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** SB 340 (Senator Raskin) – Judicial Proceedings.

**Information Source(s):** Kent, Montgomery, and Worcester counties; Baltimore City; Maryland Department of the Environment; Judiciary (Administrative Office of the Courts); Maryland Department of Transportation; Maryland Energy Administration; National Conference of State Legislatures; Department of Legislative Services

**Fiscal Note History:** First Reader - February 1, 2012  
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Analysis by: Evan M. Isaacson

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