

HOUSE BILL 36

R5
HB 839/16 – ENV

(PRE-FILED)

7lr0641
CF 7lr1101

By: **Delegates Lam, Gaines, Krimm, K. Young, Hill, Lafferty, Turner, Fraser-Hidalgo, Tarlau, Ebersole, Robinson, Luedtke, and Ciliberti**

Requested: September 15, 2016

Introduced and read first time: January 11, 2017

Assigned to: Environment and Transportation

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)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 **Article – Transportation**

4 11–145.1.

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

6 (1) Is made by a manufacturer;

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

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

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

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

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

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

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

20 **21–1003.2.**

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

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

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

30 **(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.**