

**Department of Legislative Services**  
Maryland General Assembly  
2019 Session

**FISCAL AND POLICY NOTE**  
**First Reader**

Senate Bill 316

(Senator Lam, *et al.*)

Judicial Proceedings

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

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This bill prohibits stopping, standing, or parking a vehicle in a space that provides access to a 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 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.

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**Fiscal Summary**

**State Effect:** General fund revenues increase minimally beginning in FY 2020 from the application of new and existing penalties to the bill's prohibition. Expenditures (all funds) increase minimally for various State agencies to procure signs and mark spaces compliant with the bill in FY 2020; thereafter, any such costs associated with new charging spaces can likely be absorbed within existing budgeted resources.

**Local Effect:** Local government revenues increase minimally beginning in FY 2020 from the application of existing penalties to the bill's prohibition, although Montgomery County revenues may decrease negligibly. Local government expenditures may increase minimally to procure signs and mark spaces compliant with the bill. Otherwise, enforcement can be handled with existing resources.

**Small Business Effect:** Minimal.

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## 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 February 2019, Maryland has 1,576 public electric vehicle charging outlets and 586 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-emissions vehicles are sold.

According to data from the Motor Vehicle Administration and the Maryland Electric Vehicle Infrastructure Council (EVIC), the total number of plug-in vehicles registered in Maryland increased from 609 in fiscal 2012 to 9,369 in fiscal 2017. For context, the total

number of plug-in vehicles registered in Maryland represents less than 1% of light-duty vehicle registrations and about 15.6% of the EVIC goal of 60,000 registered electric vehicles in Maryland by 2020. Nevertheless, EVIC estimates that as many as 60,000 to 100,000 plug-in electric drive vehicles will be registered in the State by 2020.

### *Implementation of Maryland Electric Vehicle Infrastructure Council Recommendations*

Chapters 400 and 401 of 2011 established EVIC and required it to develop a plan to expand the adoption of electric vehicles and develop an infrastructure charging network. In its final report issued in December 2012, the council issued 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.

The 2017 Annual EVIC report contained two recommendations: (1) a policy initiative clarifying how chargers can be installed and operated in and around apartment buildings, condos, and dwellings that are governed by homeowners associations; and (2) the elimination of non-electric vehicle parking in electric vehicle charging spaces. As of early February 2019, the 2018 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:** 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.

**Cross File:** None.

**Information Source(s):** Harford and Montgomery counties; Maryland Association of Counties; City of College Park; Maryland Municipal League; Judiciary (Administrative Office of the Courts); 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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