

# SENATE BILL 146

R5  
SB 315/21 – JPR

(PRE-FILED)

2lr0731  
CF 2lr1517

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By: ~~Senator Young~~ **Senators Young, Benson, Feldman, Hettleman, Lam, Lee,  
Watson, and West**

Requested: October 12, 2021

Introduced and read first time: January 12, 2022

Assigned to: Judicial Proceedings

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 3, 2022

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## CHAPTER \_\_\_\_\_

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 plugged into charging equipment in a parking  
5 space that is designated in a certain manner for the use of plug-in electric drive  
6 vehicles; ~~authorizing a parking facility to have a vehicle that is stopped, standing, or~~  
7 ~~parked in violation of this Act towed or removed under certain circumstances;~~ and  
8 generally relating to reserved parking spaces for plug-in electric drive vehicles.

9 ~~BY repealing and reenacting, without amendments,~~  
10 ~~Article – Transportation~~  
11 ~~Section 11-145.1~~  
12 ~~Annotated Code of Maryland~~  
13 ~~(2020 Replacement Volume and 2021 Supplement)~~

14 BY adding to  
15 Article – Transportation  
16 Section 21-1003.2  
17 Annotated Code of Maryland  
18 (2020 Replacement Volume and 2021 Supplement)

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

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### EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 Article – Transportation

2 ~~11-145.1.~~

3 (a) ~~“Plug in electric drive vehicle” means a motor vehicle that:~~

4 (1) ~~Is made by a manufacturer;~~

5 (2) ~~Is manufactured primarily for use on public streets, roads, and~~  
6 ~~highways;~~

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

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

9 (5) ~~Is propelled to a significant extent by an electric motor that draws~~  
10 ~~electricity from a battery that:~~

11 (i) ~~Has a capacity of not less than 4 kilowatt-hours for 4-wheeled~~  
12 ~~motor vehicles and not less than 2.5 kilowatt-hours for 2-wheeled or 3-wheeled motor~~  
13 ~~vehicles; and~~

14 (ii) ~~Is capable of being recharged from an external source of~~  
15 ~~electricity.~~

16 (b) ~~“Plug in electric drive vehicle” includes a qualifying vehicle that has been~~  
17 ~~modified from original manufacturer specifications.~~

18 **21-1003.2.**

19 (A) (1) **IN THIS SECTION, “PLUG-IN ELECTRIC” SECTION THE FOLLOWING**  
20 **WORDS HAVE THE MEANINGS INDICATED.**

21 (2) **“PLUG-IN ELECTRIC DRIVE VEHICLE” MEANS A MOTOR VEHICLE:**

22 (I) **THAT IS MADE BY A MANUFACTURER;**

23 (II) **THAT IS PROPELLED TO A SIGNIFICANT EXTENT BY AN**  
24 **ELECTRIC MOTOR THAT DRAWS ELECTRICITY FROM A BATTERY THAT CAN BE**  
25 **RECHARGED FROM AN EXTERNAL SOURCE OF ELECTRICITY;**

26 (III) **FOR WHICH THE EXTERNAL SOURCE OF ELECTRICITY IS**  
27 **UNABLE TO BE CONNECTED TO THE MOTOR VEHICLE WHILE THE MOTOR VEHICLE IS**  
28 **IN MOTION; AND**

1                    (IV) THAT IS PROPERLY REGISTERED.

2                    (3) “PLUG-IN ELECTRIC DRIVE VEHICLE CHARGING SPACE” MEANS A  
3 PARKING SPACE THAT PROVIDES ACCESS TO CHARGING EQUIPMENT THAT  
4 TRANSFERS ELECTRICAL ENERGY TO A PLUG-IN ELECTRIC DRIVE VEHICLE.

5                    (B) UNLESS THE VEHICLE IS A PLUG-IN ELECTRIC DRIVE VEHICLE THAT IS  
6 PLUGGED INTO CHARGING EQUIPMENT, A PERSON MAY NOT STOP, STAND, OR PARK  
7 A VEHICLE IN A DESIGNATED PLUG-IN ELECTRIC DRIVE VEHICLE CHARGING SPACE.

8                    ~~(C) A SIGN DESIGNATING A PLUG-IN ELECTRIC DRIVE VEHICLE CHARGING~~  
9 ~~SPACE SHALL:~~

10                    ~~(1) BE AT LEAST 18 INCHES HIGH AND 12 INCHES WIDE;~~

11                    ~~(2) BE CLEARLY VISIBLE TO THE DRIVER OF A MOTOR VEHICLE~~  
12 ~~ENTERING THE PLUG-IN ELECTRIC DRIVE VEHICLE CHARGING SPACE; A PUBLICLY~~  
13 ~~ACCESSIBLE PLUG-IN ELECTRIC DRIVE VEHICLE CHARGING SPACE SHALL BE~~  
14 ~~DESIGNATED BY A SIGN THAT:~~

15                    (1) INDICATES THAT THE CHARGING SPACE IS ONLY FOR ELECTRIC  
16 VEHICLE CHARGING;

17                    (2) INCLUDES ANY DAY OR TIME RESTRICTIONS;

18                    ~~(3) STATE STATES~~ THE MAXIMUM FINE THAT MAY BE INCURRED FOR  
19 A VIOLATION; AND

20                    ~~(4) MEET ANY APPLICABLE STATE AND FEDERAL REQUIREMENTS~~  
21 ~~FOR PARKING SIGNS~~ IS CONSISTENT WITH THE DESIGN AND PLACEMENT  
22 SPECIFICATIONS ESTABLISHED IN THE MANUAL ON UNIFORM TRAFFIC CONTROL  
23 DEVICES FOR STREETS AND HIGHWAYS ADOPTED BY THE STATE HIGHWAY  
24 ADMINISTRATION UNDER § 25-104 OF THIS ARTICLE.

25                    ~~(D) A PLUG-IN ELECTRIC DRIVE VEHICLE CHARGING SPACE SHALL BE~~  
26 ~~INDICATED BY PAVEMENT MARKINGS THAT MEET REQUIREMENTS ESTABLISHED BY~~  
27 ~~THE DEPARTMENT.~~

28                    ~~(E) (1) A PRIVATELY OWNED PARKING FACILITY MAY HAVE A VEHICLE~~  
29 ~~THAT IS STOPPED, STANDING, OR PARKED IN VIOLATION OF THIS SECTION TOWED~~  
30 ~~OR REMOVED IN ACCORDANCE WITH SUBTITLE 10A OF THIS TITLE.~~

~~(2) (i) A PARKING FACILITY OWNED BY A LOCAL JURISDICTION MAY HAVE A VEHICLE THAT IS STOPPED, STANDING, OR PARKED IN VIOLATION OF THIS SECTION TICKETED, TOWED, OR REMOVED IF AUTHORIZED BY LOCAL LAW.~~

~~(ii) A LOCAL LAW AUTHORIZING THE TOWING OR REMOVAL OF A VEHICLE AS DESCRIBED IN SUBPARAGRAPH (i) OF THIS PARAGRAPH SHALL BE EQUIVALENT TO OR EXCEED THE STANDARDS AND REQUIREMENTS ESTABLISHED UNDER SUBTITLE 10A OF THIS TITLE.~~

(f) A PLUG-IN ELECTRIC DRIVE VEHICLE CHARGING SPACE SHALL 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.

(e) A PERSON WHO VIOLATES THIS SECTION IS SUBJECT TO A CIVIL PENALTY EQUAL TO THE PENALTY ISSUED IN THAT LOCAL JURISDICTION FOR THE UNAUTHORIZED USE OF A SPACE DESIGNATED FOR THE USE OF INDIVIDUALS WITH DISABILITIES OF \$100.

~~(h) THE DEPARTMENT SHALL ADOPT REGULATIONS TO CARRY OUT THIS SECTION.~~

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2022.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.