SENATE BILL 474

R5 0lr1940

SB 316/19 - JPR

By: Senator Lam

Introduced and read first time: January 29, 2020

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

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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 under certain circumstances and subject to certain standards and requirements; 10 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; establishing a civil penalty for a violation of this Act; requiring the Department of 14 Transportation to adopt certain regulations; and generally relating to reserved 15 16 parking spaces for plug-in electric drive vehicles.

- 17 BY repealing and reenacting, without amendments,
- 18 Article Transportation
- 19 Section 11–145.1
- 20 Annotated Code of Maryland
- 21 (2012 Replacement Volume and 2019 Supplement)
- 22 BY adding to
- 23 Article Transportation
- 24 Section 21–1003.2
- 25 Annotated Code of Maryland
- 26 (2012 Replacement Volume and 2019 Supplement)

27 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

28 That the Laws of Maryland read as follows:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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(1)

Article - Transportation 1 2 11-145.1.3 "Plug-in electric drive vehicle" means a motor vehicle that: (a) Is made by a manufacturer; 4 (1) Is manufactured primarily for use on public streets, roads, and (2)5 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 Is propelled to a significant extent by an electric motor that draws 10 electricity from a battery that: 11 Has a capacity of not less than 4 kilowatt-hours for 4-wheeled motor vehicles and not less than 2.5 kilowatt-hours for 2-wheeled or 3-wheeled motor 12 13 vehicles; and 14 (ii) Is capable of being recharged from an external source of 15 electricity. 16 "Plug-in electric drive vehicle" includes a qualifying vehicle that has been 17 modified from original manufacturer specifications. 21-1003.2. 18 19 IN THIS SECTION, "PLUG-IN ELECTRIC DRIVE VEHICLE CHARGING 20 SPACE" MEANS A PARKING SPACE THAT PROVIDES ACCESS TO CHARGING 21EQUIPMENT THAT TRANSFERS ELECTRICAL ENERGY TO A PLUG-IN ELECTRIC DRIVE 22 VEHICLE. 23(B) UNLESS THE VEHICLE IS A PLUG-IN ELECTRIC DRIVE VEHICLE, A 24PERSON MAY NOT STOP, STAND, OR PARK A VEHICLE IN A DESIGNATED PLUG-IN ELECTRIC DRIVE VEHICLE CHARGING SPACE. 25 26 (C) A SIGN DESIGNATING A PLUG-IN ELECTRIC DRIVE VEHICLE CHARGING 27 SPACE SHALL:

29 (2) BE CLEARLY VISIBLE TO THE DRIVER OF A MOTOR VEHICLE

BE AT LEAST 18 INCHES HIGH AND 12 INCHES WIDE;

- 1 ENTERING THE PLUG-IN ELECTRIC DRIVE VEHICLE CHARGING SPACE;
- 2 (3) STATE THE MAXIMUM FINE THAT MAY BE INCURRED FOR A 3 VIOLATION; AND
- 4 (4) MEET ANY APPLICABLE STATE AND FEDERAL REQUIREMENTS 5 FOR PARKING SIGNS.
- 6 (D) A PLUG-IN ELECTRIC DRIVE VEHICLE CHARGING SPACE SHALL BE 7 INDICATED BY PAVEMENT MARKINGS THAT MEET REQUIREMENTS ESTABLISHED BY 8 THE DEPARTMENT.
- 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) (1)** 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.
- (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.
- 24 (G) A PERSON WHO VIOLATES THIS SECTION IS SUBJECT TO A CIVIL 25 PENALTY OF \$50.
- 26 (H) THE DEPARTMENT SHALL ADOPT REGULATIONS TO CARRY OUT THIS 27 SECTION.
- SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2020.