

**MEMORANDUM**

January 24, 2014

TO: County Council

FROM: Robert H. Drummer, Senior Legislative Attorney 

SUBJECT: **Public Hearing:** Bill 32-13, Motor Vehicles and Traffic – Off-Street Public Parking Regulations – Plug-in Vehicles

Bill 32-13, Motor Vehicles and Traffic – Off-Street Public Parking Regulations – Plug-in Vehicles, sponsored by Councilmembers Riemer, Berliner, and Andrews, was introduced on December 10. A Transportation, Infrastructure, Energy and Environment Committee worksession is tentatively scheduled for February 6, at 9:30 a.m.

Bill 32-13 would prohibit parking of a non-plug-in vehicle in an off-street parking space reserved for plug-in vehicles that is open to the public. Plug-in vehicle parking spaces with a recharging station are becoming more popular as plug-in electric vehicles become more available in the County. There is currently no prohibition on parking a non plug-in vehicle in a parking space reserved for a plug-in electric vehicle. The Bill would encourage the use of plug-in electric vehicles in the County and the installation of parking spaces with a recharging station reserved for plug-in vehicles.

This packet contains:

Bill 32-13

Legislative Request Report

Circle #

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Bill No. 32-13  
Concerning: Motor Vehicles and Traffic –  
Off-Street Public Parking Regulations  
– Plug-in Vehicles  
Revised: January 22, 2014 Draft No. 2  
Introduced: December 10, 2013  
Expires: June 10, 2015  
Enacted: \_\_\_\_\_  
Executive: \_\_\_\_\_  
Effective: \_\_\_\_\_  
Sunset Date: None  
Ch. \_\_\_\_\_, Laws of Mont. Co. \_\_\_\_\_

## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

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By: Councilmembers Riemer, Berliner, and Andrews

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**AN ACT** to:

- (1) define a plug-in vehicle;
- (2) prohibit parking of a vehicle that is not a plug-in vehicle in a public parking space reserved for plug-in vehicles; and
- (3) generally amend the laws governing off-street public parking in the County.

By adding

Montgomery County Code  
Chapter 31, Motor Vehicles and Traffic  
Article IV, Off-Street Public Parking Regulations  
Section 31-26B

<b>Boldface</b>	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

*The County Council for Montgomery County, Maryland approves the following Act:*

1           **Sec. 1. Section 31-26B is added as follows:**

2    **31-26B. Parking spaces reserved for a plug-in vehicle.**

3           (a)   In this Section, a *plug-in vehicle* means a vehicle that:

4                   (1)   is made by a vehicle manufacturer;

5                   (2)   is manufactured primarily for use on a public street, road, and  
6                           highway;

7                   (3)   has not been modified from the original manufacturer's  
8                           specifications;

9                   (4)   has a rated unloaded gross vehicle weight of no more than 8,500  
10                           pounds;

11                   (5)   has a maximum speed of at least 65 miles per hour;

12                   (6)   is propelled to a significant extent by an electric motor that draws  
13                           electricity from a battery that:

14                           (A)   for a 4-wheeled vehicle, has a capacity of at least 4  
15                                   kilowatt-hours;

16                           (B)   for a 2-wheeled or a 3-wheeled vehicle, has a capacity of at  
17                                   least 2.5 kilowatt-hours; and

18                           (C)   can be recharged from an external source of electricity.

19           (b)   A person may not stop, stand, or park a vehicle that is not a plug-in  
20                   vehicle in a space that:

21                   (1)   is marked for the use of plug-in vehicles with an official sign that  
22                           conforms to regulations adopted pursuant to Section 31-23; and

23                   (2)   provides access to a plug-in vehicle recharging station.

## LEGISLATIVE REQUEST REPORT

Bill 32-13

*Motor Vehicles and Traffic – Off-Street Public Parking Regulations – Plug-in Vehicles*

**DESCRIPTION:** Bill 32-13 would prohibit a person from parking a non plug-in electric vehicle in an off-street public parking space reserved for plug-in vehicles.

**PROBLEM:** Plug-in vehicle parking spaces with a recharging station are becoming more popular as plug-in electric vehicles become more available in the County. There is currently no prohibition on parking a non plug-in vehicle in a parking space reserved for a plug-in electric vehicle.

**GOALS AND OBJECTIVES:** The goal is to encourage the use of plug-in electric vehicles in the County and the installation of parking spaces with a recharging station reserved for plug-in vehicles.

**COORDINATION:** Police, County Attorney, Department of Transportation

**FISCAL IMPACT:** To be requested.

**ECONOMIC IMPACT:** To be requested.

**EVALUATION:** To be requested.

**EXPERIENCE ELSEWHERE:** To be researched.

**SOURCE OF INFORMATION:** Robert H. Drummer, Senior Legislative Attorney, 240-777-7895

**APPLICATION WITHIN MUNICIPALITIES:** To be researched.

**PENALTIES:** Class B Violation

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