



STAFF REPORT ON PROPOSED LEGISLATION

To: Mayor Gavin Buckley
From: Jacqueline Guild
Date: April 22, 2020
Subject: O-14-20 and R-27-20

Ordinance 14-20 establishes reserved parking spaces for plug-in electric drive vehicles, creates a definition of plug-in electric drive vehicle spaces, authorizes a penalty for violations of O-14-20, provides for towing of vehicles in violation of O-14-20, and requires signs that designate clearly the purpose of the reserved spaces and the penalty for violations and that the spaces also be indicated by green pavement markings. The ordinance is effective from the date of its passage.

Resolution 27-20 amends the Fines Schedule to provide a \$100 fine for violations of Ordinance 14-20. The resolution is effective upon the passage of Ordinance 14-20.

The purpose of Ordinance 14-20 is to ensure that electric vehicle charging spaces are available for charging. The associated fine is intended to deter vehicles that are not actively charging from occupying the reserved spaces. The experience to date with the two reserved electric vehicle charging spaces at the Pip Moyer Recreation Center is that these reserved spaces are often occupied by internal combustion engine vehicles and electric vehicles not engaged in charging. Staff at the recreation center receive complaints from electric vehicle owners that are unable to charge in the reserved spaces.

There is one Level 2 charging station at the Pip Moyer Recreation Center and two Level 2 stations in the Knighton Garage. Each Level 2 station allows two vehicles to charge simultaneously; therefore, each Level 2 charging station requires two parking spaces. BGE is in the process of installing a Level 2 station and a DC fast charge station (one parking space) at the Westin. Plans are underway to install charging stations at approximately eight other locations within city limits which will add an additional 18 to 20 reserved spaces depending upon the types of charging stations installed. Therefore, the total number of reserved spaces in the near term is projected at 24 to 26 spaces.

The impact on staff will include inspections and issuing citations by traffic enforcement staff, and handling contested citations and towing expenses by the Office of Law. The Department of

Finance will handle accounting for payment of citations. Public Works will erect and maintain signs for reserved charging spaces.

Signs cost between \$15 and \$19 apiece.

Resolution 27-20 amends the Fines Schedule - Fiscal Year 2021 with "12.20.090.B Parking Reserved for Electric Drive Vehicles". The fine of \$100 is reasonable considering fines in the three Maryland counties with such laws, other states, and Washington, D.C.

Baltimore County	\$75	(2016)
Montgomery County	\$60	(2014)
Howard County	\$35	(2014)
Washington, D.C.	\$100	(2015)

Fines were not gathered for this report for all nine states with similar laws (Arizona, California, Connecticut, Colorado, Florida, Hawaii, Illinois, Massachusetts, Nevada, North Dakota, Oregon, Rhode Island, and Washington). The highest state fine found was Arizona at \$350 per violation. The lowest fine is Emmitsburg, Maryland at \$10 per violation.

Recommendations:

1. Vehicles Permitted in Charging Spaces. The ordinance adds "B." under Title 21 Planning & Zoning, Section 12.20.090 Parking Spaces Reserved - Persons with Disabilities - Electric Vehicles - Penalties. This provision limits the use of designated plug-in electric drive vehicle charging spaces to plug-in electric drive vehicles as defined by the Transportation Article of the Maryland Annotated Code. However, "B." does not require those vehicles to be charging while occupying the reserved spaces. This is not the intent of the ordinance. It is recommended that B. include language to the effect that "While occupying a space reserved for plug-in electric drive vehicle charging, a vehicle must be charging actively." Without such language, "B." merely provides preferential parking for plug-in electric drive vehicles.
2. Signs. "B." also sets forth requirements for signs marking plug-in electric drive vehicle charging spaces. A requirement needs to be added that states that the space is "reserved for charging of electric vehicles."
3. R-27-20, Code reference 12.20.090.B should be revised to state "Parking reserved for charging of plug-in electric drive vehicles" so that the fines schedule language is consistent with the intent of O-14-20 to reserve charging spaces for vehicles while charging.
4. Consider time limits on charging. Other jurisdictions, including Montgomery County, limit the time a vehicle may charge in a reserved space to four hours. D.C. is proposing a four hour limit between the hours of 9 a.m. and 8 p.m., which allows for overnight charging but makes charging spaces available during the busiest time of the day for charging.

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