

This document has been prepared as part of the implementation project of Legal Pathways to Deep Decarbonization (Michael B. Gerrard and John C. Dernbach, eds. Environmental LawInstitute [2019]) (LPDD). For background information on the project, see <https://lpdd.org>

MODEL ORDINANCE ON DESIGNATION OF PARKING SPACES FOR ELECTRIC VEHICLES AND INSTALLATION OF ELECTRIC CHARGING DEVICES

Ordinance No. *[Number]*

Sponsored by *[Sponsor]*

*AN ORDINANCE OF THE
[LEGISLATIVE BODY] OF
[NAME OF LOCALITY]*

In relation to the designation of parking spaces for electric vehicles and installation of electric vehicle charging stations.

WHEREAS, *[Source of authority]* authorizes the *[Legislative Body]* to *[description of action]*; and

WHEREAS, *[Additional statements of purpose, etc., as needed]*;

The *[Legislative Body]* of *[Name of Locality]* ordains as follows:

- 1 Section 1. Purpose. To encourage the purchase and use of electric vehicles by requiring
- 2 the owner of each applicable parking facility to install a minimum number of electric vehicle

1 charging stations and designate a minimum number of parking spaces exclusively for electric
2 vehicles.

3 Section 2. Definitions. As used in this Ordinance, the following terms have the following
4 meanings:

5 a. The term “applicable parking facility” means a parking garage or parking lot
6 with at least fifty parking spaces available for use by the general public.

7 b. The term “electric vehicle” means a vehicle with four or more wheels that
8 draws propulsion energy from a battery that (1) has at least four kilowatt hours of energy
9 storage capacity; and (2) can be recharged from an external source of electricity.

10 c. The term “electric vehicle charging system” means a system that (1) is capable
11 of providing level 2 charging from a non-vehicle source to the battery of one or more
12 electric vehicles; (2) meets the SAE J1772 standard of SAE International, the CHAdeMo
13 standard, or the CCS standard; and (3) is designed and installed in compliance with
14 article 625 of the National Electrical Code.

15 d. The term “electric vehicle parking space” means a parking space that is (1)
16 designated exclusively for electric vehicles; and (2) equipped with an electric vehicle
17 charging system.

18 Section 3. Minimum Number of Electric Vehicle Parking Spaces; Requirements.

19 a. [Option #1] The owner of an applicable parking facility shall ensure that for
20 every 50 parking spaces located within the facility there are located within the facility (1)
21 at least 5 electric vehicle parking spaces by December 31, 2020; (2) at least 10 electric
22 vehicle parking spaces by December 31, 2025; (3) at least 15 electric vehicle parking
23 spaces by December 31, 2030; (4) at least 20 electric vehicle parking spaces by

1 December 31, 2035; and (5) at least 25 electric vehicle parking spaces by December 31,
2 2040. Such electric vehicle parking spaces may be located anywhere within the facility.

3 a. [*Option #2*]: A person who owns one or more applicable parking facilities shall
4 ensure that for every 50 parking spaces located within an applicable parking facility
5 owned by the person, the aggregate number of electric vehicle parking spaces located in
6 applicable parking facilities owned by such person is (1) at least 5 electric vehicle
7 parking spaces by December 31, 2020; (2) at least 10 electric vehicle parking spaces by
8 December 31, 2025; (3) at least 15 electric vehicle parking spaces by December 31, 2030;
9 (4) at least 20 electric vehicle parking spaces by December 31, 2035; and (5) at least 25
10 electric vehicle parking spaces by December 31, 2040. Such electric vehicle parking
11 spaces may be located anywhere within the facility.

12 b. The owner of an applicable parking facility shall clearly mark each electric
13 vehicle parking space as designated for the exclusive use of electric vehicles.

14 c. The owner of an applicable parking facility shall post signs visible to drivers
15 alerting drivers to the penalties imposed under this chapter for parking a vehicle that is
16 not an electric vehicle in an electric vehicle parking space.

17 d. The owner of an applicable parking facility may charge a fee to use an electric
18 vehicle charging system in such facility. The owner of an applicable parking facility shall
19 clearly disclose such a fee.

20 e. Nothing in this chapter shall displace or reduce the number of accessible
21 parking spaces required to be provided in an applicable parking facility in compliance
22 with the Americans with Disabilities Act.

1 Section 4. Penalties. Any person who parks a vehicle that is not an electric vehicle in an
2 electric vehicle parking space shall be guilty of a traffic infraction and fined not less than \$100
3 and not more than \$250 and shall pay any costs incurred by the court in assessing the fine.

4 Section 5. Effective Date. This Ordinance takes effect [*number of days*] after its
5 [*adoption/publication*]

APPROVED AND ADOPTED this *[date]* day of *[month]*, *[year]*.

[Attestation.]