

## Legislation Text

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Enacting a new Section 12-1131 of The Philadelphia Code, entitled “Electric Vehicle Parking,” to provide for the designation of electric vehicle on-street parking spaces where only electric vehicles may be parked and amending Section 12-2809 of The Philadelphia Code to provide for penalties for illegally parking in a designated electric vehicle parking space; all under certain terms and conditions.

*THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:*

SECTION 1. A new Section 12-1131 of The Philadelphia Code entitled “Electric Vehicle Parking,” is hereby enacted, to read as follows:

*§12-1131. Electric Vehicle Parking.*

*(1) Definitions.*

*"Department" means the department or departments designated by the Mayor to administer the provisions of subsection 12-1131(3)(b)(.3).*

*"Electric Vehicle" is any motor vehicle that receives motive power from a battery or other storage device that receives electricity from an external source such as a charger, and includes a Plug-in Hybrid Electric Vehicle.*

*"Electric Vehicle Charger" is a device which permits the transfer of electric energy (by conductive or inductive means) to a battery or other storage device in an electric vehicle.*

*"Electric Vehicle Parking Space" is any legally marked parking space that identifies the use to be exclusively for an electric vehicle.*

*"Non-Electric Vehicle" is any motor vehicle that does not meet the definition of "Electric Vehicle."*

*"Plug-in Hybrid Electric Vehicle" is any motor vehicle that combines a conventional propulsion <[http://en.wikipedia.org/wiki/Ground\\_propulsion](http://en.wikipedia.org/wiki/Ground_propulsion)> system with an on-board rechargeable energy storage system <[http://en.wikipedia.org/wiki/Rechargeable\\_energy\\_storage\\_system](http://en.wikipedia.org/wiki/Rechargeable_energy_storage_system)>. The different propulsion power systems in the Plug-in Hybrid Electric Vehicle may have common subsystems or components.*

*(2) Electric Vehicle Parking Spaces - Generally.*

*(a) Electric vehicle parking spaces are reserved for parking electric vehicles only.*

*(b) Electric vehicles may be parked in any space designated for public parking, subject to the restrictions that would apply to any other vehicle that would park in that space.*

*(c) This Section shall not apply to parking provided in private parking lots for residential or commercial uses.*

*(3) Designation of Electric Vehicle Reserved On-Street Parking Space.*

*(a) After an investigation determining need has been performed through the Philadelphia Parking Authority with the information set forth in subsection (3)(b) and the Parking Authority has approved of use of the location for practicality and feasibility of traffic operations, the Philadelphia Parking Authority may designate a reserved on-street parking space for electric vehicles. Such a reserved space shall not be designated at any location where parking is otherwise prohibited by law.*

*(b) When applying for a reserved on-street parking space for the exclusive use of electric vehicles, at least the following information shall be supplied by the applicant to the Philadelphia Parking Authority and, in part, shall be used as criteria for determining the appropriate location for a reserved space for electric vehicles;*

*(.1) a Pennsylvania Department of Transportation Vehicle Registration indicating that the vehicle is owned or leased by an individual who is a resident of the address at which the reserved parking space is sought;*

*(.2) proof that the owner of the property at which the reserved parking space is sought, if such person is not the applicant, consents to the application;*

*(.3) documentation of approval from the Department for the installation of an electrical vehicle charger at the curb immediately adjacent to the electric vehicle parking space, pursuant to any requirements established by the Department by regulation in connection with such approval, including an administrative fee;*

*(.4) the written consent of an adjacent neighbor if the Philadelphia Parking Authority determines that it is necessary for the reserved parking zone to extend in front of that neighbor's property;*

*(.5) any other information which the Philadelphia Parking Authority may require.*

*(c) The Streets Department shall cause appropriate signs and marking to be placed in and around electric vehicle parking spaces, indicating prominently thereon the parking regulations. The signs shall state that the parking space is reserved for the exclusive use of electric vehicles and that violators are subject to a fine and removal of their vehicle.*

*(4) Prohibitions.*

*When a sign authorized under Section 12-1131(3)(c) provides notice that a space is a designated electric vehicle parking space, no person shall park any non-electric vehicle in a designated electric vehicle parking space.*

*(5) Violations-Penalties.*

*(a) Any person violating any of the provisions of Section 12-1131 shall be liable for payment of fines, costs and additional fees prescribed and assessed in accordance with the provisions of Chapter 12-2800 of this Title.*

*(b) In addition to the payment of fines, costs and additional fees, a person who has parked in violation of this Section, is subject to having the vehicle removed by any person authorized by and subject to*

*the requirements of the Chapter 12-2400 of The Philadelphia Code.*

SECTION 2. Section 12-2809 of The Philadelphia Code entitled “Civil Penalties and Costs,” is hereby amended to read as follows:

§ 12-2809. Civil Penalties and Costs.

\* \* \*

(2) Any person violating the following provisions of Title 12 shall, upon a final finding of liability pursuant to this Chapter 12-2800, be liable for payment of the civil penalty indicated, in addition to the costs and fees set forth in subsection 12-2809(1):

Code Provision	Violation Description	Penalty
<i>12-1131</i>	<i>Parking for Electric Vehicles only .....</i>	<i>\$300</i>

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**Explanation:**

*Italics* indicate new matter added.