

## Legislation Text

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Amending Section 12-1131 of The Philadelphia Code, entitled "Electric Vehicle Parking," to provide for the discontinued approval of new Electric Vehicle Parking Spaces and the expiration of such existing spaces, all under certain terms and conditions.

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

SECTION 1. Section 12-1131 of The Philadelphia Code is hereby amended 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.] *designated as exclusively reserved for Electric Vehicles only from 6:00 p.m. to 6:00 a.m., and non-electric vehicles for no more than two (2) hours at a time between the hours of 6:00 a.m. and 6:00 p.m., and states that violators are subject to a fine and removal of their 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 system with an on-board 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 from 6:00 p.m. to 6:00 a.m., non-electric vehicles shall be authorized to park in the electric vehicle parking space for no more than two (2) hours between the hours of 6:00 a.m. and 6:00 p.m., and that violators are subject to a fine and removal of their vehicle.

[ (d) Notwithstanding the provisions of this subsection (3), effective with the adoption of the Ordinance adding this subsection (3)(d), the Parking Authority shall designate no additional electric vehicle parking spaces, pending Council's review of the impact of these spaces on overall parking availability and enactment of further legislation. During such moratorium on new spaces, all existing Electric Vehicle Parking spaces shall be designated as exclusively reserved for Electric Vehicles only from 6:00 p.m. to 6:00 a.m., and non-electric vehicles shall be authorized to park in electric vehicle parking spaces for no more than two (2) hours between the hours of 6:00 a.m. and 6:00 p.m.]

[ (e) The moratorium on additional electric vehicle parking spaces provided in subsection (3)(d) shall expire one year from the date such subsection became law, unless Council shall extend such time limit by ordinance. ]

(d) *Notwithstanding the provisions of this subsection (3), the Parking Authority shall designate no additional electric vehicle parking spaces.*

(e) *All existing electric vehicle parking spaces shall be eligible for renewal as long as the permittee owns or leases an electric vehicle until January 1, 2033. Permits for electric vehicle parking spaces are nontransferable through January 1, 2033 and will only be eligible for renewal by the existing permit holder. The permittee must update the Philadelphia Parking Authority about any vehicle ownership or leasing changes by submitting a Pennsylvania Department of Transportation Vehicle Registration indicating that the vehicle is owned or leased by the permittee.*

(f) *If the permittee ceases to reside at the address for which an electric vehicle parking space was established prior to January 1, 2033, the electric vehicle parking space will be discontinued and all related signs and marking shall be immediately removed. The permittee shall be responsible for promptly removing the electric vehicle charger and for restoring the area to its former condition.*

(g) *All remaining signs and marking placed in and around electric vehicle parking spaces shall be removed by the Department of Streets on or immediately after January 1, 2033, and the former permittee shall be responsible for promptly removing the electric vehicle charger and for restoring the area to its former condition.*

(h) *If a permittee fails to comply with Subsection 12-1131(3)(f) or a former permittee fails to comply with Subsection 12-1131(3)(g) as directed, in addition to any other remedy authorized by this Chapter, the Department of Streets is authorized to abate the violation by removing the electric vehicle charger from the area and restoring the area to its original condition. The permittee or former permittee shall be liable for the costs of such removal and restoration, including administrative costs, and the Law Department may take action to collect such costs by lien or any other method permitted by law.*

(i) *No electrical vehicle charger, as defined in Section 11-601(8), shall be allowed on any sidewalk within the City of Philadelphia on and after January 1, 2033 unless a permit has been obtained from the Department of Licenses and Inspections with the approval of the Department of Streets in accordance with Section 11-604 (10).*

[ (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.]

(4) [(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. This Ordinance shall take effect immediately.

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**Explanation:**

[Brackets] indicate matter deleted.

*Italics* indicate new matter added.