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SENATE BILL NO. 278

Senate Amendments in [] - January 18, 2022

Prefiled January 11, 2022

A BILL to amend the Code of Virginia by adding a section numbered 46.2-1219.3, relating to parking of vehicles; electric vehicle charging spots; civil penalties.

Patrons Prior to Engrossment—Senators Ebbin, Hashmi and Surovell

Referred to Committee on Transportation

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 46.2-1219.3 as follows:

§ 46.2-1219.3. Parking of vehicles in parking spaces reserved for charging electric vehicles; civil penalties.

A. It shall constitute a traffic infraction for any person to park a vehicle that is not a plug-in electric motor vehicle, as defined in § 56-1, in a parking space clearly marked as reserved for charging plug-in electric motor vehicles. A violation of this subsection is subject to a civil penalty of not less than \$100 nor more than \$250.

B. Any vehicle that is not a plug-in electric motor vehicle and is parked in such a spot shall also be subject to towing and impoundment as a trespassing vehicle pursuant to this article or any local ordinance adopted pursuant to the same [; ~~provided that the general parking area contains necessary signage to authorize towing~~].

C. [No fines shall be imposed and no vehicle shall be towed pursuant to the provisions of this section or any local ordinance adopted pursuant to this section unless the parking space reserved for charging plug-in electric motor vehicles has a sign that includes the following language: "PENALTY, \$100-\$250, TOW-AWAY ZONE." Such language may be placed on a separate sign and attached below any sign indicating that the space is reserved for charging plug-in electric motor vehicles. In the case of a local ordinance adopted pursuant to subsection D, the sign shall indicate the amount of the civil penalty if such ordinance imposes a civil penalty and shall indicate that a vehicle parked in violation of the ordinance is subject to towing if the ordinance authorizes towing.

D.] The governing body of any county, city, or town may adopt an ordinance not inconsistent with the provisions of this section. The civil penalty for violating any such ordinance shall not exceed the civil penalties provided in subsection A.

[~~D~~. E.] In the prosecution of an offense established under this section, prima facie evidence that the vehicle described in the summons issued pursuant to this section was parked in violation of this section, together with proof that the defendant was at the time of such violation the owner, lessee, or renter of the vehicle, shall constitute in evidence a rebuttable presumption that such owner, lessee, or renter of the vehicle was the person who committed the violation. A violation of this section may be charged on the uniform traffic summons form.

ENGROSSED

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