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**AB-1452 Parking: exclusive electric charging and parking on public streets.** (2017-2018)

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Date Published: 10/10/2017 09:00 PM

**Assembly Bill No. 1452**

**CHAPTER 635**

An act to amend Section 22511 of the Vehicle Code, relating to vehicles.

[ Approved by Governor October 10, 2017. Filed with Secretary of State October 10, 2017. ]

**LEGISLATIVE COUNSEL'S DIGEST**

AB 1452, Muratsuchi. Parking: exclusive electric charging and parking on public streets.

(1) Existing law authorizes a local authority, by ordinance or resolution, to designate stalls or spaces in an offstreet parking facility owned or operated by that local authority for the exclusive purpose of charging and parking a vehicle that is connected for electric charging purposes. Existing law also authorizes the removal of a vehicle from an offstreet parking facility if the vehicle is not connected for electric charging purposes. Existing law makes it a crime for a person to park or leave a vehicle in a stall or space designated for electric parking purposes unless the vehicle is connected for those purposes.

This bill would authorize a local authority, by ordinance or resolution, to designate stalls or spaces on a public street within its jurisdiction for the exclusive purpose of charging and parking a vehicle that is connected for electric charging purposes. The bill would also authorize the removal of a vehicle from a designated stall or space on a public street if the vehicle is not connected for electric charging purposes, under specified conditions. By expanding the scope of a crime, the bill would impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

**THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:**

**SECTION 1.** Section 22511 of the Vehicle Code is amended to read:

**22511.** (a) (1) A local authority, by ordinance or resolution, and a person in lawful possession of an offstreet parking facility may designate stalls or spaces in an offstreet parking facility owned or operated by that local authority or person for the exclusive purpose of charging and parking a vehicle that is connected for electric charging purposes.

(2) A local authority, by ordinance or resolution, may designate stalls or spaces on a public street within its jurisdiction for the exclusive purpose of charging and parking a vehicle that is connected for electric charging purposes.

(b) If posted in accordance with subdivision (d) or (e), the owner or person in lawful possession of a privately owned or operated offstreet parking facility, after notifying the police or sheriff's department, may cause the removal of a vehicle from a stall or space designated pursuant to subdivision (a) in the facility to the nearest public garage if the vehicle is not connected for electric charging purposes.

(c) (1) If posted in accordance with paragraph (1) of subdivision (d), the local authority owning or operating an offstreet parking facility, after notifying the police or sheriff's department, may cause the removal of a vehicle from a stall or space designated pursuant to paragraph (1) of subdivision (a) in the facility to the nearest garage, as defined in Section 340, that is owned, leased, or approved for use by a public agency if the vehicle is not connected for electric charging purposes.

(2) If posted in accordance with paragraph (2) of subdivision (d), the local authority, after notifying the police or sheriff's department, may cause the removal of a vehicle from a stall or space designated pursuant to paragraph (2) of subdivision (a) to the nearest garage, as defined in Section 340, that is owned, leased, or approved for use by a public agency if the vehicle is not connected for electric charging purposes.

(d) (1) The posting required for an offstreet parking facility owned or operated either privately or by a local authority shall consist of a sign not less than 17 by 22 inches in size with lettering not less than one inch in height that clearly and conspicuously states the following: "Unauthorized vehicles not connected for electric charging purposes will be towed away at owner's expense. Towed vehicles may be reclaimed at

or by telephoning

(Address)

."

(Telephone number of local law enforcement agency)

The sign shall be posted in either of the following locations:

(A) Immediately adjacent to, and visible from, the stall or space.

(B) In a conspicuous place at each entrance to the offstreet parking facility.

(2) The posting required for stalls or spaces on a public street designated pursuant to paragraph (2) of subdivision (a) shall follow the California Manual of Uniform Traffic Control Devices.

(e) If the parking facility is privately owned and public parking is prohibited by the posting of a sign meeting the requirements of paragraph (1) of subdivision (a) of Section 22658, the requirements of subdivision (b) may be met by the posting of a sign immediately adjacent to, and visible from, each stall or space indicating that a vehicle not meeting the requirements of subdivision (a) will be removed at the owner's expense and containing the telephone number of the local traffic law enforcement agency.

(f) This section does not interfere with existing law governing the ability of local authorities to adopt ordinances related to parking programs within their jurisdiction, such as programs that provide free parking in metered areas or municipal garages for electric vehicles.

**SEC. 2.** No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.