STATE OF NEW YORK

6836

2019-2020 Regular Sessions

IN SENATE

November 8, 2019

Introduced by Sen. METZGER -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the vehicle and traffic law, in relation to parking in electric vehicle charging spaces

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Paragraph 1 of subdivision (a) of section 1202 of the vehicle and traffic law, as amended by chapter 679 of the laws of 1970, subparagraph k as amended by chapter 267 of the laws of 1998, is amended to read as follows:

1. Stop, stand or park a vehicle:

a. On the roadway side of any vehicle stopped, standing or parked at the edge or curb of a street;

b. On a sidewalk;

c. Within an intersection, except when permitted by official signs or parking meters on the side of a highway opposite a street which intersects but does not cross such highway;

d. On a cross walk;

e. Between a safety zone and the adjacent curb or within thirty feet of points on the curb immediately opposite the ends of a safety zone, unless a different distance is indicated by official signs, markings or parking meters;

f. Alongside or opposite any street excavation or obstruction when stopping, standing or parking would obstruct traffic;

g. Upon any bridge or other elevated structure upon a highway or within a highway tunnel, unless otherwise indicated by official signs, markings or parking meters;

h. On any railroad tracks;

i. In the area between roadways of a divided highway, including crossovers, except in an emergency;

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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j. On a state expressway highway or state interstate route highway, including the entrances thereto and exits therefrom, which are a part thereof, except in an emergency[.];

k. Engage in the retail sale of frozen desserts as that term is defined in subdivision thirty-seven of section three hundred seventy-five of this chapter directly to pedestrians on any highway having a speed limit in excess of thirty miles per hour. Nothing herein shall be construed to prohibit the operator of such vehicle from stopping such vehicle off such highway, in a safe manner, for the sole purpose of delivering such retail product directly to the residence of a consumer or to the business address of a customer of such retailer[.];

l. In a space designated as provided in this subparagraph for the exclusive purpose of charging an electric vehicle at an electric vehicle charging station, unless such vehicle is an electric vehicle connected to such charging station. Provided, however, that an electric motor vehicle disconnected from the electric vehicle charging station for no more than thirty continuous minutes while stopped, standing or parked in such designated space shall not be in violation of this subparagraph. Parking spaces designated for the exclusive purpose of charging an electric vehicle at an electric vehicle charging station shall be clearly identified, and such designation shall include conspicuous and permanently installed above grade signs which shall be positioned from the parking space surface at a height of not less than five feet nor more than seven feet and which identify such space as an electric vehicle charging station, indicate that such space is only for electric vehicle charging and include any day or time restrictions. For the purposes of this subparagraph, the term "electric vehicle" shall mean a motor vehicle that is propelled at least in part by an electric motor and associated power electronics which provide acceleration torque to the drive wheels sometime during normal vehicle operation, and that draws electricity from a battery or hydrogen fuel cell that is capable of being recharged from an external source of electricity, such that the external source of electricity cannot be connected to the vehicle while the vehicle is in motion, and the term "electric vehicle charging station" shall mean the equipment needed to convey electric power from the electric grid or another power source to an onboard motor vehicle energy storage system.

§ 2. This act shall take effect on the one hundred eightieth day after it shall have become a law.