

2019 HOUSE POLITICAL SUBDIVISIONS

HB 1405

2019 HOUSE STANDING COMMITTEE MINUTES

Political Subdivisions Committee Prairie Room, State Capitol

1/31/2019

HB 1405

Job # 31966

Subcommittee

Conference Committee

Committee Clerk: Carmen Hickle

Explanation or reason for introduction of bill/resolution:

Relating to prohibiting blocking parking spaces for electric vehicles; and to provide a penalty

Minutes:

1,2

Chairman J. Dockter: Opened the hearing on HB 1405.

Rep. Lefor: (Handout #1). Introduced the bill by reading his testimony.

Rep. Johnson: Does the fine have anything to do with the grant?

Rep. Lefor: It has nothing to do with the grant. It's equivalent to other traffic fines for this area.

Rep. Johnson: Would you be amenable to adjustment? I don't see blocking a charging station as onerous as moving violations that are much worse.

Rep. Lefor: I would want to discuss it. The goal is to make it enough of a deterrent so people don't do it.

Rep K. Koppelman: There is nothing in the bill that defines signage or identification that is necessary for one of these spots. Should there be something in there that talks about visibility or size? People could unknowingly do this.

Rep. Lefor: That is a good point. Since this is new to this area and new to this country I think there should be some signs. I would be happy to look into this.

Rep K. Koppelman: I don't know what these stations look like, where they would be located. Is this a business that would provide this?

Rep. Lefor: In Dickinson it will be at the Prairie Hills Mall, which has a big parking lot. Tesla is the one putting this forward and investing in it.

Rep K. Koppelman: Does the driver pay to hook up to?

Rep. Lefor: I'll defer.

Rep. Magrum: Wouldn't that be something a private business would enforce? They would have their own signs or would these go in front of public buildings that we know of?

Rep. Lefor: I need to defer that question.

Rep. Toman: My concern is with Section 1 subsection 2 with the obstruct clause. I don't own an electric vehicle but am obstructed by parcel delivery service in my own driveway and I live next to a business that has angled on-street parking have been obstructed with that as well.

Rep. Lefor: Are you talking about line 11 and 12? I'm okay with more specific language. More specific language and proper signage the intent is still there to stop stalls from being blocked.

Rep. Ertelt: Is there anything in statute that you are aware of that it is illegal to obstruct an entrance to a fueling station?

Rep. Lefor: No, we don't believe there is anything in statute for fueling stations.

Destiny Wolf: (Handout #2). Tesla will be coming to install a number of super chargers across the state. Tesla is making a huge financial commitment to the state of North Dakota. We are the last state in the United States to receive super chargers. I support this bill as well as proper signage. Typically, when the charging stations are installed they are at the far end of the parking lot. They are not prime parking spots, people who are parking there are generally going out of their way to do so. Charging stations are approximately every 100 miles, and it takes 45 minutes to charge. So if someone is blocking the stations that adds to the time.

Rep. K. Koppelman: North Dakota is the last state to have these as well as you wanting us to be a leader, is the states that have had these not taken these steps?

Ms. Wolf: There is only a handful of other states that have legislation. Most states have only done Municipalities laws for parking infractions.

Rep. Toman: I have a question on line 9 and 10, that you cannot be in a space unless it is attached for charging purposes. If I go shopping for two hours and it only takes 45 minutes. Do you see any problem amongst electric vehicle owners by lines 9, 10?

Ms. Wolf: If I charge my Tesla, there is no credit card transaction, so I plug it in, the charging station reads that it is my car, and Tesla automatically charges my credit card that I have on my account. Generic chargers are similar. If you are using a Tesla charger you can see the time remaining, I can pull up my phone and see if my husband has my Tesla plugged in at home. It will also tell me when my charging is complete. Tesla charges you \$1 per minute pass the 5-minute mark of your charging being complete. So there is no incentive for me to stay in that spot.

Rep. Simons: If there is rude people how will the bill benefit then? If it's on private property wouldn't they have a right to do that already?

Ms. Wolf: We have signs for handicap parking spaces because there needs to be some sort of deterrent, this is the same concept.

Rep. Magrum: If we implement a \$100 fee and where does that go?

Ms. Wolf: The fee would go into the general fund.

Brian Koop: I have owned a Tesla for 4 ½ years, I have seen this personally. I echo everything that Destiny has said. This is the same concept as handicapped parking.

Chairman J. Dockter: Closed the hearing.

2019 HOUSE STANDING COMMITTEE MINUTES

Political Subdivisions Committee Prairie Room, State Capitol

HB 1405
2/7/2019
Job # 32413

- Subcommittee
 Conference Committee

Committee Clerk Signature	Carmen Hickle
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Explanation or reason for introduction of bill/resolution:

Relating to prohibiting blocking parking spaces for electric vehicles; and to provide a penalty

Minutes:

1

Chairman J. Dockter: Opens for committee work. Rep. Lefor wanted \$100 fine, Rep. Johnson wants a \$50 to make it consistent with handicapped parking.

Rep. Johnson: (Handout #1) The amendment would change \$100 to \$50. Made a motion for that amendment.

Rep. Longmuir: Second the motion.

Voice vote carried.

Rep. Adams: Made a do pass motion as amended.

Rep. Guggisberg: Second the motion.

Rep. Toman: Where I live parcel delivery services does obstruct parking in front of building next to me as well as my driveway. What are unintended consequences with that sort of behavior?

Chairman J. Dockter: We assume they are there for a short time, but I understand what you are saying.

Rep. Hatlestad: I thought Rep. Lefor had amendments to the bill as well?

Chairman J. Dockter: He was open to having us amendment this to \$50.

Rep K. Koppelman: We discussed this during the hearing so I think we should have an amendment indicating that parking is illegal and there is a fine involved.

Chairman J. Dockter: On page 1 line 8 insert that?

Rep K. Koppelman: I think it should be another item.

Chairman J. Dockter: Asked for a withdraw of the do pass as amended motion.

Rep. Adams: Withdrew the motion.

Rep. Guggisberg: Withdrew the second.

Rep K. Koppelman: Made a motion for an amendment that would state these parking spaces need to be clearly marked with signage that is visible and if there is a sign delineation for charging an electric vehicle I would ask to do the same thing. And the fine marked on the sign.

Rep. Longmuir: Second the motion.

Voice vote carried.

Vice Chairman Pyle: Looking at HB1135 the fee for handicapped parking is \$100. Now we are lowering this to \$50?

Rep. Adams: Made a do pass as further amended motion.

Rep. Guggisberg: Second the motion.

Rep. Ertelt: In testimony we heard about safety of the people driving these vehicles if the space is obstructed by someone who is hostile toward the use of these vehicles. I asked if there was a law that prohibited obstructing charging stations for internal combustion engines and I don't believe there is. If we are not also enacting a law that prohibits obstructing or blocking entrance.

Rep. Simons: I'm going to vote no on this, there could be a sign that says this is designated for people charging their vehicles. I don't see this as issue.

Rep. Guggisberg: Block heater plug-ins is not the same as what Tesla uses to charge. They had examples of this being an issue for the electric charged cars and it needs to be addressed.

Rep K. Koppelman: Is there anything that prevents political subdivisions from enacting ordinances to do this?

Chairman J. Dockter: They have that authority.

Rep. Johnson: That begs the question if local political subdivisions, they do. What this bill does is be proactive instead of reactive.

Rep. Toman: I know what this does but it doesn't fix their problem of intimidation. Because if someone is going to park there to intimidate them there is a different action so I think they would still be encumbered by those folks.

Rep. Hatlestad: It does help because now I can call the Police.

Vote yes 8, no 5, absent 1

Rep. Strinden: Will carry the bill.

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1405

Page 1, line 8, after "1." insert "If a public or private entity designates a parking space for charging an electric vehicle, the reserved space must be indicated by a sign approved by the director. The sign must indicate use of the reserved space is for charging electric vehicles only.

2."

Page 1, line 11, replace "2." with "3."

Page 1, line 11, remove "parking stall or"

Page 1, line 12, remove "and parking"

Page 1, line 15, replace "one hundred" with "fifty"

Renumber accordingly

February 7, 2019

DP 2/7/19

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1405

Page 1, line 8, after "1." insert: "If a public or private entity designates a parking space for charging an electric vehicle, the reserved space must be indicated by a sign approved by the director. The sign must be consistent with the manual of uniform traffic control devices authorized under section 39-13-06, and indicate:

- a. Use of the reserved space is for charging electric vehicles only; and
- b. Unauthorized use of the spaces is a nonmoving violation for which a fee of fifty dollars must be imposed.

2."

Page 1, line 11, replace "2." with "3."

Page 1, line 11, remove "parking stall or"

Page 1, line 12, remove "and parking"

Page 1, line 15, replace "one hundred" with "fifty"

Renumber accordingly

Date: 2-7-19
Roll Call Vote #: 1

2019 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 1405

House Political Subdivisions Committee

Subcommittee

Amendment LC# or Description: Page 1 Line 15 Change \$100 to \$50

- Recommendation: Adopt Amendment
 Do Pass Do Not Pass Without Committee Recommendation
 As Amended Rerefer to Appropriations
 Place on Consent Calendar
- Other Actions: Reconsider _____

Motion Made By Rep. Johnson Seconded By Rep. Longmuir

Representatives	Yes	No	Representatives	Yes	No
Chairman J. Dockter:					
Vice Chairman Pyle:					
Rep. Ertelt:					
Rep. Fegley:					
Rep. Hatlestad:					
Rep. Johnson					
Rep K. Koppelman:					
Rep. Longmuir					
Rep. Magrum:					
Rep. Simons:					
Rep. Toman:					
Rep. Strinden:					
Rep. Adams:					
Rep. Guggisberg					

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

Unice vote carried

**2019 HOUSE STANDING COMMITTEE
 ROLL CALL VOTES
 BILL/RESOLUTION NO. 1405**

House Political Subdivisions Committee

Subcommittee

Amendment LC# or Description: See below

- Recommendation: Adopt Amendment
 Do Pass Do Not Pass Without Committee Recommendation
 As Amended Rerefer to Appropriations
 Place on Consent Calendar
 Other Actions: Reconsider _____

Motion Made By Rep K. Koppelman Seconded By Rep. Longmuir

Representatives	Yes	No	Representatives	Yes	No
Chairman J. Dockter:					
Vice Chairman Pyle:					
Rep. Ertelt:					
Rep. Fegley:					
Rep. Hatlestad:					
Rep. Johnson					
Rep K. Koppelman:					
Rep. Longmuir					
Rep. Magrum:					
Rep. Simons:					
Rep. Toman:					
Rep. Strinden:					
Rep. Adams:					
Rep. Guggisberg					

Vote carried

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent: Page 1 line 8, insert: If a public or private entity designates a parking space for charging an electric vehicle, the reserved space must be indicated by a sign approved by the director. The sign much indicate use of the reserved space is for charging electric vehicles only.
 Page 1 line 11, replace 2 with 3.
 Page 1 line 11, remove parking stall or
 Page 1 line 12 remove and parking

Date: 2-7-19
 Roll Call Vote #: 3

**2019 HOUSE STANDING COMMITTEE
 ROLL CALL VOTES
 BILL/RESOLUTION NO. 1405**

House Political Subdivisions Committee

Subcommittee

Amendment LC# or Description: 19.1000.01003

- Recommendation: Adopt Amendment
 Do Pass Do Not Pass Without Committee Recommendation
 As Amended Rerefer to Appropriations
 Place on Consent Calendar
- Other Actions: Reconsider _____

Motion Made By Rep. Adams Seconded By Rep. Guggisberg

Representatives	Yes	No	Representatives	Yes	No
Chairman J. Dockter:	/				
Vice Chairman Pyle:	/				
Rep. Ertelt:		/			
Rep. Fegley:		/			
Rep. Hatlestad:	/				
Rep. Johnson	/				
Rep K. Koppelman:		/			
Rep. Longmuir	/				
Rep. Magrum:	/	/			
Rep. Simons:		/			
Rep. Toman:		/			
Rep. Strinden:	/				
Rep. Adams:	/				
Rep. Guggisberg	/				

Total (Yes) 8 No 5

Absent 1

Floor Assignment Rep. Strinden

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

HB 1405: Political Subdivisions Committee (Rep. Dockter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (8 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). HB 1405 was placed on the Sixth order on the calendar.

Page 1, line 8, after "1." insert: "If a public or private entity designates a parking space for charging an electric vehicle, the reserved space must be indicated by a sign approved by the director. The sign must be consistent with the manual of uniform traffic control devices authorized under section 39-13-06, and indicate:

- a. Use of the reserved space is for charging electric vehicles only; and
- b. Unauthorized use of the spaces is a nonmoving violation for which a fee of fifty dollars must be imposed.

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Page 1, line 11, replace "2." with "3."

Page 1, line 11, remove "parking stall or"

Page 1, line 12, remove "and parking"

Page 1, line 15, replace "one hundred" with "fifty"

Renumber accordingly

2019 SENATE POLITICAL SUBDIVISIONS

HB 1405

2019 SENATE STANDING COMMITTEE MINUTES

Political Subdivisions Committee Red River Room, State Capitol

HB 1405
3/15/2019
Job # 33788

- Subcommittee
 Conference Committee

Committee Clerk: Mary Jo Wocken

Explanation or reason for introduction of bill/resolution:

Relating to prohibiting blocking parking spaces for electric vehicles; and to provide a penalty.

Minutes:

Written attachment #1.: Representative Lefor pgs 1-4
Written attachment #2: Brian Kopp
Written attachment #3: Destiny Wolf

Chairman Burckhard opened the hearing on HB 1405. All senators are present.

Representative Lefor, District 37 who introduced the bill in support of HB1405. **Written attachment #1** (:27-5:00).

Chairman Burckhard: When you park there for 45 minutes, do you pay to charge your Tesla? Is there a cost for that?

Ms. Destiny Wolf: replied yes there is.

Chairman Burckhard: The obvious other question, I didn't see Minot listed here, Pembina, but not Minot. I am not sure why. I am sure that is an oversight. That needs to be rectified soon.

Senator Anderson: It is interesting because we had a similar handicap parking bill here before. The problem that we had there seems like was that this sign approved by the director was a specific sign. So law enforcement wasn't able to write tickets for infractions and Senator Kannianen looked up about 40 different signs that you can buy, that say that this is your electric vehicle parking spot. So, is there a universal symbol that is on these that is recognized and we could say if it has that universal symbol or?

Representative Lefor: I will defer to Destiny Wolf.

Senator D. Larson: Can you remind me what the bill was that you referred to? Was it a tax on the license plate or the license? So just thinking and I am not one that is usually one that tries to just of new ways to tax people, but, this seems like if you have to pay to charge your car, just like any car then that is driving through the state, they are not contributing to highway funds. They pay for that with gas tax. It seems like this would be the place to put an electric

charge tax to help pay for the highways for those people that are not paying residents from the license plate. It seems like that would be the equitable.

Representative Lefor: I think as this grows, that would certainly be a possibility.

Senator J. Lee: Isn't there already a bill that has come from the House and we haven't seen yet that talks about a fee for electric vehicles? Because I totally support what you're saying.

Representative Lefor: We passed it in the House. It was a Senate bill and it was very well written and drafted. You can tell that a senator wrote it.

Senator J. Lee: That was why I asked because I agree with what Senator Larson is talking about.

Destiny Wolf, I would like to submit some written testimony for another owner who couldn't be here today. His name is Brian Kopp (**Written attachment #2**). My name is Destiny Wolf and I am from Dickinson, ND. I am proud to be here representing my fellow electric vehicle owners across the state. We fully support HB 1405 as written with the indicated signage with the amendment to it. I wanted to define what an EV charging station is for the committee. It is kind of like a new language as I describe to people who are new to an electric vehicle. My husband and I purchased a Tesla model 3 fully electric, no gasoline engine. We purchased it in July and took delivery of it at the end of September. Just to give you an idea, I actually had to drive south out of Minneapolis, through South Dakota along I-90 and then back up through Sturgis, South Dakota because we still don't have any electrical vehicle chargers here across the state. As Representative Lefor explained, we will be connecting I-29 north/south as well as east/west I-94 this summer. My particular car can charge at a rate up to 1000 miles an hour. So ideally under perfect conditions, I should actually be able to pull into the charging station and charge my car fully to the 310 range in about 15 minutes. Electric cars are certainly becoming more abundant across the state, not just in ownership but with these connecting quarters we are going to see a lot of people coming from Minnesota going west and people west going east. These charging stations typically are built in non-ideal parking spots. I know there was a concern when this was coming up in the House side, is this going to detract from handicap spots. The answer is no. So typically when businesses put these in, they are actually at the far end of the parking lot. So they want to be able to offer this service or Tesla wants to come in and put in Tesla branded super chargers but they are typically in a very inconspicuous place. So typically that's not an issue. These stations are built about every 100 miles or so. This is where the parking issue comes in. So they are really not like gas stations in a sense that we only have a super charger or charging station about every 100 miles and those charging stations typically have six to eight stalls for people to use because we stay there but typically not for long. What we are finding across certain states, all of those pictures that I handed out to you are actually from our neighbors next door in Minnesota. (**Written attachment #3**). Minnesota Tesla owners were kind enough to share some of their prime examples of the incidents that we're talking about. So what we are finding is that if these spots are blocked we literally have nowhere else to go. So it is not like a gas station where we can drive to the next town or we can drive 2 blocks we are literally stuck until these people move. Sometimes it's done just out of not being aware of what those spots are. I know there was a question about signage. Tesla actually does have very specific signage. In some of their original charging spots that they did construct, they also made it a

general use parking for 30-minute limit, but now as Tesla and electric cars are becoming much more prevalent. They are actually saying Tesla parking only. So that signage does exist, I know that was a question from Senator Anderson earlier that Rep. Lefor didn't quite have an answer for. So typically these chargers will be used for people like me as I am travelling through the state. I would say that 98%-99% of my charging is actually done at home in my garage. So during the summer months I can certainly drive to Bismarck, do my errands and drive home without charging. Winter months because I like using heat in my car, I would typically charge for 10 minutes at a super charger here in Bismarck, and then continue on back home. So hopefully that gives you a good idea of how they are used. But, they are really designed for people that are doing long distance travel to be able to make those connecting stops along their route. Hopefully that explains it to you. North Dakota is last in EV chargers, and a couple reasons for that is typically electric vehicle companies have to invest that capital and it is no offense to our great state of ND, but we just don't have the population. I believe the DOT last report was that there was a 148 of us registered in the state. Nobody is certainly not a Tesla for sort of dragging their feet on getting super-chargers. We actually have an underground network, so to speak of being able to charge at people's homes as we travel through the state. That explains why this is coming up the pipeline now. So we would be one of about 16 states that already have parking legislation on this. I really think that it is important for North Dakota to get ahead of the curve. I want North Dakota to be a really good state for electric vehicles to drive through. We are an oil friendly state. I am from Dickinson and Dickinson has certainly prospered because of oil. Oil isn't going anywhere. We also own a gas car because our electric vehicle only probably covers about 60% -80% of our needs day to day. I want ND to stay ND nice and I want us to be ahead of the curve and this is the time to do it.

Chairman Burckhard: So, there would be parking facilities for Tesla owners only, not the Nissan electric people and whoever else has electric cars?

Ms. Destiny Wolf: So Tesla is the number one electric car sellers for a couple of reasons. One, there range. So Tesla has designed a battery cell that gets the most range. So my model 3, for instances gets 310 miles per charge, and a Nissan Leaf gets about 200 miles per charge. So when you're looking at distances that we often travel here in the Midwest that is a huge difference. So a lot of Nissan leaf and things like that you're actually going to see more urban centers. It would be like places like Chicago or Minneapolis versus Tesla's Midwesterners are probably more often going to choose a Tesla.

Chairman Burckhard: So if a Nissan Leaf guys is out of energy, he can't pull up to the Tesla spot?

Ms. Destiny Wolf: He can't. Tesla branded chargers only work for Tesla, but there are also other chargers that don't charge quite as fast which my car is actually charging at right now. One of the coal companies bought a Tesla and they have a charging port and that's where I am charging my vehicle right now. They actually have a universal plug so I can actually plug in an adapter that will still charge my Tesla, but that charger will also work for cars such as Nissan Leaf. So, the chargers that Rep. Lefor outlined being connecting I-94 and I-29 are going to be Tesla branded chargers, but that \$1.3 Million dollars that we are getting from the VW's settlement for their emissions scandal, those would hopefully be used for more universal chargers to help those other people out.

Chairman Burckhard: Minot was evidently left off this stations to be located at. We are too far north or what?

Ms. Destiny Wolf: We're kind of scratching our heads about that as well because we are big baseball fans. We have the Big Sticks and you guys have your team up there. We like coming up and watching our boys plays yours and things like that. We were really disappointed that Minot was left off of the list.

Chairman Burckhard: I thought it was a typo. But it is no.

Senator Anderson: Maybe this is a question for the electrician instead of the Tesla owner, but I have a head bolt heater on my car. I plug into the hotel all the time and so if I had to switch on the car that just routed the electricity to the batteries instead of the head bolt heater, does that work just as well to charge the car?

Ms. Destiny Wolf: So my car actually does come standard with a 110- volt plug if I just had a plug outlet, I could do that. Certainly the bigger the cable or bigger the wire, the faster the charge you're going to get. So those super chargers like I said, that actually puts direct current into your car and then in my car actually converts that into energy for the battery. So it's not even being over by alternating current but by direct current. So if I were to plug it into a regular wall outlet, I would get about 5 miles an hour versus that 1000 that I talked about. At home I typically average about 45 miles an hour. So it is somewhere in the middle.

Senator Anderson: My question before was the universal charger symbol, and that should be for all electric cars right? Ms. Destiny Wolf: Correct. Senator Anderson: There is a recognized symbol so when we talk and maybe there is somebody from the Department of Transportation will be here, but, it seems to me like if the legislation said a sign containing the universal charging symbol, would make it a little easier for law enforcement to enforce because now it says an approved sign and we run into the same problem that we had with the handicap sign. There are 40 different signs and whether the department has approved them all or not, that is where the law enforcement is uncomfortable with that.

Ms. Destiny Wolf: Right now my understanding is that there is not a universal sign across all brands so Tesla and generic chargers since they are private companies that do a lot of the generic chargers, and charge per use based on their machines and things like that. So again that is where North Dakota potentially could be able to get a head of the curve and we would certainly be able to provide some examples and assist in any way that we could as owners to help create that sign, so it would be clear. I know one other thing that Rep. Lefor deferred with Senator Larson, I believe that you had asked about potentially charging road use fees on our electric uses that way. I will say that I was actually in support of us paying road use fees, in line with the \$120 and so I would advocate that we keep something like that in place for North Dakota drivers because like I said, I do 98-99% of my charging at home. However, as I said super chargers and other branded chargers, universal chargers are again designed for long distance travel, so I certainly don't think that would be a bone of contention to potentially tax that, so that we could still collect some road use fees for people travelling through our state.

Chairman Burckhard asked for opposition to HB 1405. No one came forward. No one came before the committee in neutral testimony.

Senator Anderson: I think we should hear from the department if they said they had this universal symbol for handicap. If we have a universal symbol, I would think we should look at changing the legislation to specify that symbol and make it easier for everybody. We need to ask then that question.

Senator Dotzenrod: The \$50 fee is that something that is kind of what the states are doing this are using or is \$50 just a number they thought seemed reasonable? I guess I am kind of curious where the \$50 came from?

Chairman Burckhard: We are talking about the parking fine for using a spot when you don't have an electric car.

Ms. Destiny Wolf: So, in drafting this bill, we looked at the 16 or so states that have similar legislation currently in place. It is as high as \$300 in Arizona which we looked at wow that was too high. So the \$50 really isn't meant as a fine, it is certainly not meant as a cash collection sort of thing. It is meant as more as a deterrent. So I believe the original bill stated \$100 and the marked up version coming from the House lowered it to \$50 and that seemed to be what they were kind of happy with. It is not meant to be a monetary punishment, it's meant to be more active as a deterrent.

Chairman Burckhard: We should get somebody from the Department of Transportation here to weigh in on this? The hearing was then closed on HB1405.

2019 SENATE STANDING COMMITTEE MINUTES

Political Subdivisions Committee Red River Room, State Capitol

HB 1405
3/21/2019
Job # 34092

- Subcommittee
 Conference Committee

Committee Clerk: Mary Jo Wocken

Explanation or reason for introduction of bill/resolution:

Relating to prohibiting blocking parking spaces for electric vehicles; and to provide a penalty.

Minutes:

Chairman Burckhard opened the committee for discussion on HB1405. We heard sometime last week. We had testimony from Representative Lefor, he introduced it and Destiny Wolf of Dickinson a Tesla owner were the only two that testified on the bill. It says an individual may not park or leave standing a vehicle in a space designated for charging and parking of vehicle unless an individuals' vehicle is connected for electric charging purposes.

Senator Anderson: It might be that we had the Tesla owner here testifying however the bill is pretty generic. It's for anybody who's got a charging station for a car. So, now I guess gas stations are typically on private property so we'll let them worry about whether somebody parks by their gas pump or won't move their car. Now it might be that this would be the same electric charging spaces would be on private property and it could be up to them to enforce it. I am not sure where they should be located.

Chairman Burckhard: They had a suggestion of a parking fine for \$100, is that a local subs thing or is that?

Senator Anderson: It went down to \$50 in the House, didn't it? Yes, the House started at \$100.

Chairman Burckhard: Any thoughts committee?

Senator Diane Larson: For me the problem was that there can be as we heard in testimony Tesla has their own charging station that only Tesla cars can attach too. So, I have a problem with us passing a state-wide law to protect a private business owner space. Now I can see that there could be times when a hotel or a grocery store or somebody Tesla my buy some of their property and pay them to have their charging station on it, but then the problem for me comes when we have law enforcement then called to give a fine and enforce that parking spot for that private company. So, that's the problem I have with this bill.

Senator Dotzenrod: If you owned and operated a hotel in Fargo or Bismarck, and you had a handicap parking spaces. That is a privately owned business and you've got handicap parking near the door. If someone parks in those handicap on private property there is a fine, a public fine by a government fine on private property which I don't see too much difference between what we're asking for here. I also had an observation here. I thought it was interesting that the sponsors Senators Lefor, Steiner and Wardner they are all from the Dickinson area. I am anticipating that the court of distain, the disgust for electric vehicles is probably when you get into the Bakken Oil country and their touchy about these environmental wackos out there that want to save the planet by driving electric vehicles. They are kind of disgusted with those people.

Senator Anderson: I think there is a difference between the handicap parking not just because I am handicap, but because we do have the Americans with Disability Act, ADA, and those hotels are required to have those parking spots so that they always save one for me. So that is quite a big difference than the electric car issue.

Senator Dotzenrod: There is a federal law and state law for ADA.

Senator Judy Lee: I think that I mentioned this earlier, but I was in Portland and was in a cab which happened to be a Prius and I asked the driver how he like his coal powered car. He kind of looked at me funny. I said where do you think the electricity comes from that runs your vehicle. He had never of course thought about it, because people like think that food comes from the grocery store, they think power comes from the outlet. It comes from someplace. I loved it.

Senator Dotzenrod: One thing we should check out is the sign. You know we found that with handicap that there are dozens of signs, and there's only one that is the right one. Do we have that issue, do we need to do a little research and find out if there are any signs acceptable?

Senator Anderson: We can ask the DOT about that.

Senator Diane Larson: I move a do not pass on HB1405.

Senator Anderson: 2nd the motion

Senator Anderson: We discussed earlier that we were going to wait for the DOT, to tell us if it was really sign or not.

Chairman Burckhard: Alex called them and they did not have an official sign for this technology yet.

Senator Dotzenrod: I am not sure why the motion is for a do not pass. I am not sure of the argument. But, like I farm for a living and I have farm land and we have state laws that say if I have my land posted, and you come on the land where it says no hunting that we have state sanctions, state fees, state fines, that are imposed. It's on private property. We seem like we do have state laws that protect the rights that private properties have to have their property not impinged upon, not harmed by other people. So I look at this bill and he's private people

and they've invested and they have a specific use that is available to the public and they should. They are asking the state to help recognize that the property needs to have some sort of imposition of fines or that the lane needs to be open to the public that wants to use that service. So, I think it is consistent with the laws that we have on the books right now. It makes sense to me. Besides I have some respect for Senator Wardner.

Chairman Burckhard: Do you think it should be prudent to only one vehicle, one brand?

Senator Dotzenrod: Well I am not sure of where the technology goes from here if there's going to other vehicles that will be able to use that service if they are going to have adaptors or if it will be a universal plugin at some point. Right now they have electric charging stations but are available and universal. I think there are some that are. Tesla has some that are specific to their cars. But there are others that are universal. So I just look at them as a family of services.

Senator Anderson: I think that all of Senator Dotzenrod's arguments are valid, but those same laws protect these spots because if this is private property those same laws would say you can't park here if I don't want you to. They protect these people as well as the other guy.

Senator Dotzenrod: There are laws that set fines on trespassing, on hunting on someone else's property if they are posted. I don't know of any state law that imposes a fine on someone who parks in an obstructed way on a private property. This one sets a \$50 fine. I don't know if we have any specific laws right now that would prevent someone from obstructing access to these spots. So I am not sure about that.

Chairman Burckhard: Should a local subdivision be setting the fine?

Senator Dotzenrod: I am not sure. I suppose that subdivisions could have ordinances. Some of these maybe in a city some may be in a county. I am not sure, but it seemed like this is a service available to the public then the public should be able to have some protection for being able to get to that service.

Senator Judy Lee: Senator Dotzenrod's comments colored the issue slightly for me, no doubt about that. but I am wondering not only about local options there but the other thing is I think I maybe live in an area where there more electric cars than in some places. Nobody has ever brought it up. So, is it only happening in Dickinson. Have you heard anything in Bismarck about that problem. I am not discounting the fact that they're maybe people doing that, but then if it's a big deal in Dickinson the easiest and quickest thing to do is go to the city commission and say you can't park in front of a Tesla plug in and they may have big trucks and things that are coming with the Bakken. I don't know you just mix it up for me.

Chairman Burckhard: There is a motion for a do not pass, moved by Senator Diane Larson.

Senator Anderson 2nd the motion

Roll call vote: 4 Yeas, 1 Nay, 1 Absent

Carrier: Senator Diane Larson

Date: 3-21-2019
 Roll Call Vote #: /

**2019 SENATE STANDING COMMITTEE
 ROLL CALL VOTES
 BILL/RESOLUTION NO. 1405**

Senate Political Subdivisions Committee

Subcommittee

Amendment LC# or Description: _____

Recommendation: Adopt Amendment
 Do Pass Do Not Pass Without Committee Recommendation
 As Amended Rerefer to Appropriations
 Place on Consent Calendar
 Other Actions: Reconsider _____

Motion Made By Sen. Diane Larson Seconded By Sen. Anderson

Senators	Yes	No	Senators	Yes	No
Chair Randy Burkhard	X		Sen. Jim Dotzenrod		X
Vice chair Howard Anderson	X				
Sen. Diane Larson	X				
Sen. Judy Lee	X				
Sen. Jordan Kannianen					

Total (Yes) 4 No 1

Absent 1

Floor Assignment Sen. Diane Larson

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

HB 1405, as engrossed: Political Subdivisions Committee (Sen. Burckhard, Chairman)
recommends **DO NOT PASS** (4 YEAS, 1 NAYS, 1 ABSENT AND NOT VOTING).
Engrossed HB 1405 was placed on the Fourteenth order on the calendar.

2019 TESTIMONY

HB 1405

#1
1-31-19
HB 1405

Good Morning Chairman Dockter and members of the House Political Subdivisions Committee. My name is Mike Lefor and I represent District 37 - Dickinson in the North Dakota House. I bring HB 1405 to you on behalf of constituents.

It is my understanding that beginning in the summer of 2019, that there will be charging stations coming to our state. These charging stations operate in a similar manner as a gas station for cars needing fuel. The difference is that these charging stations recharge the batteries for electric vehicles.

The number of electric or hybrid vehicles is growing in both the state and on a national level. On line eight of the bill it states "An individual may not park or leave standing a vehicle in a stall or space designated for charging and parking a vehicle, unless the individual's vehicle is connected for electric charging stations.

Further, beginning on line 11, it states, "An individual may not obstruct, block or otherwise bar access to a parking stall or space designated for charging and parking a vehicle." The penalty for this violation would be \$100.00. This will send a message that this area is for a specific purpose only and that is to serve as a charging station for electric vehicles.

In my testimony, I have included sample state laws in nine other states which currently have "Anti-ICEing" (Internal Combustion Engines) laws when obstructing a charging station. The committee may feel this law is to soon, however, if we don't put this in code now as other states have done, we will probably wind up doing it in the future as these charging stations are going to be in all fifty states as these types of cars being sold continues to grow throughout the country.

Finally, I have an article in which there are truck drivers who are intentionally blocking these stations. I have some interested parties in the audience that will follow me that have more information on this topic than I do. I ask for your favorable consideration of HB 1405 and I will stand for questions. Thank you.

#1
1-31-19

HB 1405



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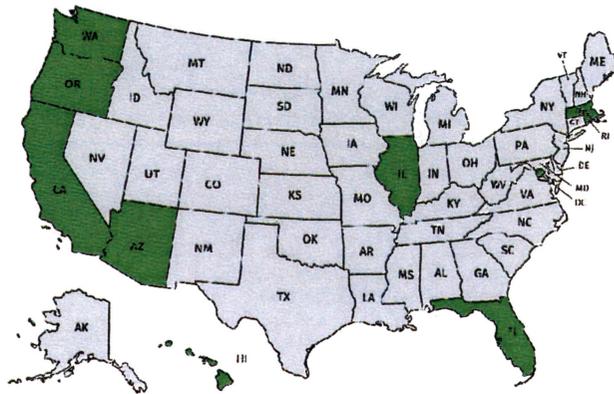
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Legislation Reference – Reserved Parking for Plug-In Vehicle Charging

State & Local "Anti-ICEing" Laws

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States that have enacted laws to prohibit non plug-in cars from parking at electric vehicle charging stations.

State Laws

Oregon Sec. 811.587 Unlawful parking in space reserved for alternative fuel vehicle refueling.

(1) As used in this section, "alternative fuel vehicle" has the meaning given that term in ORS 469B.100, except that "alternative fuel vehicle" includes vehicles registered in any jurisdiction.

(2) A person commits the offense of unlawful parking in a space reserved for alternative fuel vehicle refueling if:

- (a) The person parks a vehicle in any parking space that is on premises open to the public;
- (b) The parking space is marked or signed as reserved for alternative fuel vehicle refueling; and
- (c) The vehicle in the parking space is not engaged in the refueling process.

(3) The offense of unlawful parking in a space reserved for alternative fuel vehicle refueling is a Class D traffic violation.

Note: 811.587 was enacted into law by the Legislative Assembly but was not added to or made a part of ORS chapter 811 or any series therein by legislative action. See Preface to Oregon Revised Statutes for further explanation.

Note: The definition of "alternative fuel vehicle" in 469B.100 was deleted by amendment by section 28, chapter 701, Oregon Laws 2015. The text of 811.587 was not amended by enactment of the Legislative Assembly to reflect the deletion. Editorial adjustment of 811.587 for the deletion of the definition has not been made.

Illinois Sec. 11-1308 Unauthorized use of parking places reserved for electric vehicles.

(a) For the purposes of this Section:

"Electric vehicle" means a battery-powered electric vehicle operated solely by electricity or a plug-in hybrid electric vehicle that operates on electricity and gasoline and has a battery that can be recharged from an external source.

"Electric vehicle charging station" means any facility or equipment that is used to charge a battery or other energy storage device of an electric vehicle.

(b) It shall be prohibited to park a non-electric vehicle in an electric vehicle charging station designated for use by electric vehicles, including an electric vehicle charging station on any private or public offstreet parking facility. A person may park only an electric vehicle in an electric vehicle charging station space designated for use by electric vehicles.

(c) Any person or local authority owning or operating any public or private offstreet parking facility may, after notifying the police or sheriff's department, remove or cause to be removed to the nearest garage or other place of safety any non-electric vehicle parked within an electric vehicle charging station space designated for use by electric vehicles.

(d) It shall not be a defense to a charge under this Section that the sign or notice posted at the electric vehicle charging station or the designated parking space does not comply with applicable rules, regulations, or local ordinances, if a reasonable person would be made aware by the sign or notice on or near the parking space that the space is reserved for electric vehicles.

(e) Any person found guilty of violating the provisions of subsection (b) shall be fined \$75 in addition to any costs or charges connected with the removal or storage of the non-electric vehicle; but municipalities by ordinance may impose a fine up to \$100. (Source: P.A. 99-172, eff. 1-1-16.)

Florida Statute 366.94 Electric vehicle charging stations

(3)(a) It is unlawful for a person to stop, stand, or park a vehicle that is not capable of using an electrical recharging station within any parking space specifically designated for charging an electric vehicle.

(b) If a law enforcement officer finds a motor vehicle in violation of this subsection, the officer or specialist shall charge the

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#1
HB 1405
1-31-19

operator or other person in charge of the vehicle in violation with a noncriminal traffic infraction, punishable as provided in s. 316.008(4) or s. 318.18.

Hawaii Revised Statutes §291-72 Parking spaces reserved for electric vehicles; penalties.

§291-72 Parking spaces reserved for electric vehicles; penalties. (a) Beginning January 1, 2013, any person who parks a non-electric vehicle in a space designated and marked as reserved for electric vehicles shall receive a warning.

(b) Beginning July 1, 2013, any person who parks a non-electric vehicle in a space designated and marked as reserved for electric vehicles shall be guilty of a traffic infraction under chapter 291D and shall be fined not less than \$50 nor more than \$100, and shall pay any costs incurred by the court related to assessing the fine.

(c) Any citation issued under this section may be mailed to the violator pursuant to section 291C-165(b). [L 2009, c 156, pt of §4; am L 2012, c 89, §3]

Washington State RCW 46.08.185 Electric vehicle charging stations—Signage—Penalty

(1) An electric vehicle charging station must be indicated by vertical signage identifying the station as an electric vehicle charging station and indicating that it is only for electric vehicle charging. The signage must be consistent with the manual on uniform traffic control devices, as adopted by the department of transportation under RCW 47.36.030. Additionally, the electric vehicle charging station must be indicated by green pavement markings. Supplementary signage may be posted to provide additional information including, but not limited to, the amount of the monetary penalty under subsection (2) of this section for parking in the station while not connected to the charging equipment.

(2) It is a parking infraction, with a monetary penalty of one hundred twenty-four dollars, for any person to park a vehicle in an electric vehicle charging station provided on public or private property if the vehicle is not connected to the charging equipment. The parking infraction must be processed as prescribed under RCW 3.50.100, 35.20.220, 46.16A.120, and 46.20.270(3).

(3) For purposes of this section, "electric vehicle charging station" means a public or private parking space that is served by charging equipment that has as its primary purpose the transfer of electric energy to a battery or other energy storage device in an electric vehicle.

[2013 c 60 § 1.]

Arizona Revised Statute 28-876 Parking spaces for electric vehicles; civil penalty

A. A person shall not stop, stand or park a motor vehicle within any parking space specially designated for parking and fueling motor vehicles fueled exclusively by electricity unless the motor vehicle is powered by electricity and has been issued an alternative fuel vehicle special plate or sticker pursuant to section 28-2416.

B. If a law enforcement officer finds a motor vehicle in violation of this section, the law enforcement officer shall issue a complaint to the operator or other person in charge of the motor vehicle or, if an operator or other person is not present, to the registered owner of the motor vehicle for a civil traffic violation.

C. A person who is found responsible for a violation of this section is subject to a civil penalty of at least three hundred fifty dollars. Notwithstanding section 28-1554, the civil penalties collected pursuant to this subsection shall be deposited in the state general fund.

California Vehicle Code Section 22511 and 22511.1

22511 (a) 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.

(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) If posted in accordance with 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 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.

(d) 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:

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

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

(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.

22511.1 (a) A person shall not park or leave standing a vehicle in a stall or space designated pursuant to Section 22511 unless the vehicle is connected for electric charging purposes.

(b) A person shall not obstruct, block, or otherwise bar access to parking stalls or spaces described in subdivision (a) except as provided in subdivision (a).

Massachusetts

General Laws Section 22A of chapter 40.

A city or town acting pursuant to this section with respect to ways within its control, or pursuant to the authority granted by chapter 40A with respect to zoning, may regulate the parking of vehicles by restricting certain areas or requiring that certain areas be restricted for the parking of a zero emission vehicle. An ordinance, by-law, order, rule or regulation pursuant to this paragraph may contain a penalty of not more than \$50 and, in a city or town that has accepted section 22D, may provide for the removal of a vehicle pursuant to said section 22D. For the purposes of this section, "zero emission vehicle", shall mean a battery electric vehicle, a plug-in hybrid electric vehicle or a fuel cell vehicle.

Rhode Island

General Law §31-21-18. Electric vehicle charging station parking restrictions.

(a) For the purposes of this section, "electric vehicle charging station" means a public or private parking space that is served by charging equipment that has as its primary purpose the transfer of electric energy to a battery or other energy storage device in an electric vehicle.

(b) No person shall stop, stand, or park a vehicle in any electric vehicle charging station provided on any public or private parking space if the vehicle is not connected to the charging equipment and where the electric vehicle charging station is indicated by signage identifying the station as an electric vehicle charging station and indicating that it is only for electric vehicle charging and subject to a

#1
HB1405
1-31-19



Ellicott City, Maryland



Baltimore County



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#1
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Why Are Truck Owners Blocking Tesla Superchargers Across America?

BY BRAD ANDERSON | DECEMBER 26, 2018

149
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A number of Tesla owners in the United States have found themselves falling victim to a worrying new trend known as 'Icing'.

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It remains to be seen why some ICE vehicle owners appear to hate Teslas so much but it could have something to do with the perception that they're owned exclusively by the rich and are a threat to traditional ICE vehicles.

Whatever the case may be, inconveniencing people with your petty protests is stupid. It's a good thing lawmakers are looking to ensure this trend doesn't spread further.

PHOTO GALLERY



Destiny Wolf

Dickinson, ND

E-mail: destinywolfrnbn@gmail.com

Mobile: 701-989-0793

References and examples:

Legislation Reference by PlugInSites.org

<https://pluginsites.org/plug-in-vehicle-parking-legislation-reference/>

2
1-31-19
HB 1405



Baltimore, MD



North Carolina

#2
1-31-19
HB1405



#1
2-1-19

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1405

Page 1, line 8, after "1." insert "If a public or private entity designates a parking space for charging an electric vehicle, the reserved space must be indicated by a sign approved by the director. The sign must indicate use of the reserved space is for charging electric vehicles only."

2."

Page 1, line 11, replace "2." with "3."

Page 1, line 11, remove "parking stall or"

Page 1, line 12, remove "and parking"

Page 1, line 15, replace "one hundred" with "fifty"

Renumber accordingly

N. B. 1405
3.15.19
att #1 p.1

Good Morning Chairman Burckard and members of the Senate Political Subdivisions Committee. My name is Mike Lefor and I represent District 37 - Dickinson in the North Dakota House. I bring HB 1405 to you on behalf of constituents.

It is my understanding that beginning in the summer of 2019, that there will be charging stations coming to our state. These charging stations operate in a similar manner as a gas station for cars needing fuel. The difference is that these charging stations recharge the batteries for electric vehicles. These stations will be located in Bismarck, Fargo, Dickinson, Jamestown and *Grand Forks* Pembina. In addition, more stations will be built in the state due to a settlement to the Environmental Mitigation Fund with \$1.3 million earmarked for this purpose.

The number of electric or hybrid vehicles is growing in both the state and on a national level. Beginning on line 8, it states "If a public or private entity designates a parking space for charging an electric vehicle, the reserved space must be indicated by a sign approved by the director." The sign must indicate the use of the reserved space is for charging electric vehicles only and if someone uses that space for other purposes they would be subject to a \$50.00 fine.

Subsections 2 and 3 refer to the fact it is not permissible to park in these reserved spaces unless they are connected for electric parking purposes. In addition, it states an individual may not obstruct, block or otherwise bar access to a space designated for charging a vehicle. This will send a message that this area is for a specific purpose only and that is to serve as a charging station for electric vehicles.

In my testimony, I have included sample state laws in nine other states which currently have "Anti-ICEing" (Internal Combustion Engines) laws when obstructing a charging station. The committee may feel this law is to soon, however, if we don't put this in code now as other states have done, we will probably wind up doing it in the future as these charging stations are going to be in all fifty states as these types of cars being sold continues to grow throughout the country.

This bill is an opportunity to get ahead of the curve and be in place close to when these stations are billing built. Finally, I have an article in which there are truck drivers who are intentionally blocking these stations. I have some interested parties in the audience that will follow me that have more information on this topic than I do. I ask for your favorable consideration of HB 1405 and I will stand for questions. Thank you.

Y.B. 1405
3.15.2019
Att #1 p.2



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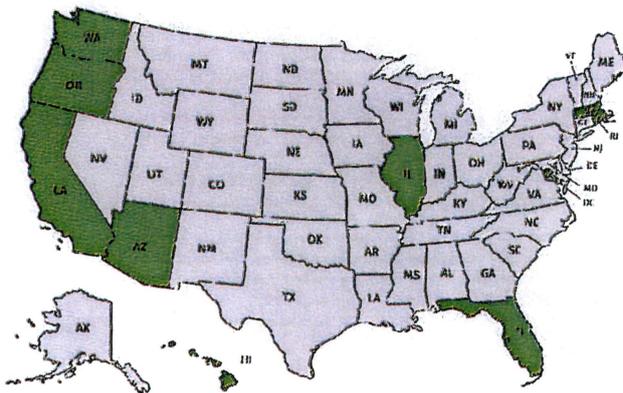
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State & Local "Anti-ICEing" Laws

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States that have enacted laws to prohibit non plug-in cars from parking at electric vehicle charging stations.

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(c) Any person or local authority owning or operating any public or private offstreet parking facility may, after notifying the police or sheriff's department, remove or cause to be removed to the nearest garage or other place of safety any non-electric vehicle parked within an electric vehicle charging station space designated for use by electric vehicles.

(d) It shall not be a defense to a charge under this Section that the sign or notice posted at the electric vehicle charging station or the designated parking space does not comply with applicable rules, regulations, or local ordinances, if a reasonable person would be made aware by the sign or notice on or near the parking space that the space is reserved for electric vehicles.

(e) Any person found guilty of violating the provisions of subsection (b) shall be fined \$75 in addition to any costs or charges connected with the removal or storage of the non-electric vehicle; but municipalities by ordinance may impose a fine up to \$100. (Source: P.A. 99-172, eff. 1-1-16.)

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N.B. 1405
3-16-19
add #1
p.3



Ellicott City, Maryland



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H. B. 1406
3.15.19
att #1 p. 4

Why Are Truck Owners Blocking Tesla Superchargers Across America?

BY BRAD ANDERSON | DECEMBER 26, 2018

149

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A number of Tesla owners in the United States have found themselves falling victim to a worrying new trend known as 'Icing'.

of 9

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It remains to be seen why some ICE vehicle owners appear to hate Teslas so much but it could have something to do with the perception that they're owned exclusively by the rich and are a threat to traditional ICE vehicles.

Whatever the case may be, inconveniencing people with your petty protests is stupid. It's a good thing lawmakers are looking to ensure this trend doesn't spread further.

PHOTO GALLERY



*H.B. 1405
3.15.2019
att #2*

HB 1405 – Written Testimony

I am in support of HB 1405 with the included amendments/markup. This bill allows North Dakota to be ahead of the curve in providing safe and effective means of transportation in and through the state for Electric Vehicles (EVs). Currently without any Level 3 (the fastest type) chargers it is very difficult to travel distances in and across ND in an EV. Having a spot for charging blocked is not only an inconvenient but can also result in an economic loss for the state. This would come from people avoiding using ND in EVs for travel or a reduction in income or job opportunities. Presently, this is rare, because few people travel this way, but soon this will be the norm. By being on the forefront of this major change in transportation will provide for a happier and safer ND.

The safety factor comes from people who not only reject change, but actively work against it. There are cases from North Carolina where people attempting to charge their vehicles were unable to as the chargers were blocked by gasoline vehicles. Ignorance of the spot being for an EV to charge would be one thing, that could be resolved through simply educating people, but the problematic issue is the cases where the charging spots are blocked intentionally. People attempting to charge have also been harassed and felt threatened in some cases. Due to many of the charging locations being on private property, both now and in the future, the present is the best time to prevent future issues with a simple law as HB 1405 presents. No one likes confrontation that may escalate, but having no way to avoid it in a simple task like fueling up is even worse. HB 1405 provides a safe and legal means for people to go about their travels in ND in an EV without fear or apprehension around fueling, the same way a person driving a gasoline or diesel vehicle does.

The \$50 fine is a fine compromise between overly penalizing someone who accidentally parks in a charging spot, even though it would be clearly marked to qualify as an offense with this law, and someone who intentionally blocks a charging spot.

By applying the law in a very specific manner, to only charging spots, no one is singled out, including EV owners. If an EV is parked in a charging spot, but not charging they are also able to be held accountable by this law. Having personally driven approximately 100,000 miles in EVs in ND most of this testimony comes from personal experience. I respectfully ask that HB1405 receives a do pass.

Thank you,



Brian Kopp

Contact Info:

Brian Kopp

Dickinson, ND

Phone/Text: 701-260-3487

Email: Brian.A.Kopp@gmail.com

H.B. 1405
3.15.2019
att #3

HB 1405 Electric vehicle parking

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