CHAPTER 758

An Act 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.

[H 450]

Approved April 27, 2022

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 (i) is not a plug-in electric motor vehicle, as defined in § 56-1, or (ii) is a plug-in electric motor vehicle, as defined in § 56-1, that is not in the process of charging in a parking space adjacent to an electric vehicle charging station that is clearly marked as reserved for charging plug-in electric motor vehicles. A violation of this subsection is subject to a civil penalty of not more than $25.

B. No civil penalty shall be imposed 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, UP TO $25." 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 C, the sign shall indicate the amount of the civil penalty if such ordinance imposes a civil penalty.

C. 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. 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.