

**CITY OF BALTIMORE
COUNCIL BILL 21-0159
(First Reader)**

Introduced by: Councilmembers Conway, Dorsey, Bullock, Cohen, Burnett, Torrence,
Middleton, Ramos, Porter, Glover

Introduced and read first time: October 4, 2021

Assigned to: Ways and Means Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Finance, Department of
General Services, Department of Public Works, Baltimore Police Department, Department of
Transportation, Parking Authority of Baltimore City, Office of the City Administrator, Office of
Sustainability, Office of the Comptroller

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Procurement - Zero-Emission Vehicles**

3 FOR the purpose of converting the City fleet of vehicles, subject to certain exceptions, to
4 zero-emission vehicles; defining certain terms; authorizing rules and regulations; and generally
5 related to the City’s procurement of vehicles.

6 BY adding

7 Article 5 - Finance, Property, and Procurement
8 Section(s) 35A-1 through 35A-6, to be under the new subtitle designation,
9 “Subtitle 35A. Required Procurement of Zero-Emission Vehicles”
10 Baltimore City Code
11 (Edition 2000)

12 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
13 Laws of Baltimore City read as follows:

14 **Baltimore City Code**

15 **Article 5. Finance, Property, and Procurement**

16 **Subtitle 35A. Required Procurement of Zero-Emission Vehicles**

17 **§ 35A-1. DEFINITIONS.**

18 (A) *IN GENERAL.*

19 IN THIS SUBTITLE, THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED, EXCEPT AS
20 OTHERWISE EXPRESSLY PROVIDED.

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

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1 (B) *SUBCONTRACT.*

2 “SUBCONTRACT” MEANS ANY AGREEMENT BETWEEN A VENDOR AND ANOTHER PARTY FOR
3 THE PERFORMANCE OF WORK UNDER A VEHICLE PROCUREMENT CONTRACT.

4 (C) *VEHICLE*

5 “VEHICLE” HAS THE MEANING STATED IN CITY CODE ARTICLE 31, § 1-3(Q) {“*DEFINITIONS*
6 — *S TO Z : . . . VEHICLE*”}.

7 (D) *VEHICLE PROCUREMENT CONTRACT.*

8 “VEHICLE PROCUREMENT CONTRACT” MEANS AN AGREEMENT ENTERED INTO BY THE CITY
9 PURCHASING AGENT OR A CITY AGENCY WITH A VENDOR TO BUY, RENT, LEASE, OR
10 OTHERWISE OBTAIN OR ACQUIRE A VEHICLE.

11 (E) *VENDOR.*

12 “VENDOR” MEANS A PERSON WHO ENTERS INTO A VEHICLE PROCUREMENT CONTRACT
13 WITH THE CITY PURCHASING AGENT OR A CITY AGENCY.

14 (F) *ZERO-EMISSION VEHICLE.*

15 “ZERO-EMISSION VEHICLE” MEANS A VEHICLE THAT MEETS THE STATE’S ZERO-EMISSION
16 VEHICLE REQUIREMENTS, AS DESCRIBED IN COMAR 26.11.34.09.

17 **§ 35A-2. ZERO-EMISSION VEHICLE PROCUREMENT REQUIREMENTS.**

18 CITY AGENCIES SHALL INCREASE THEIR PROCUREMENT OF ZERO-EMISSION VEHICLES SO THAT:

19 (I) 50 % OF THE CITY FLEET WILL BE ZERO-EMISSION VEHICLES BY JANUARY 1, 2030.

20 (II) 100 % OF THE CITY FLEET WILL BE ZERO-EMISSION VEHICLES BY JANUARY 1, 2040.

21 **§ 35A-3. APPLICABILITY OF SUBTITLE.**

22 (A) *CONTRACT VALUE.*

23 THIS SUBTITLE ONLY APPLIES TO VEHICLE PROCUREMENT CONTRACTS OR SUBCONTRACTS
24 WORTH \$16,000.00 OR MORE.

25 (B) *PRODUCT AVAILABILITY.*

26 ON A SINGLE CONTRACT OR SUBCONTRACT BASIS, IF THE CITY PURCHASING AGENT
27 CERTIFIES IN WRITING THAT ZERO-EMISSION VEHICLES ARE NOT PRODUCED IN A
28 SUFFICIENT QUANTITY TO MEET THE CITY’S REQUIREMENTS, THE REQUIREMENTS OF THIS
29 SUBTITLE DO NOT APPLY.

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1 **§ 35A-4. REQUIRED BID INFORMATION.**

2 THE CITY PURCHASING AGENT AND ALL CITY AGENCIES SHALL INCLUDE, IN ALL CITY BIDS
3 AND REQUESTS FOR BIDS FOR A VEHICLE PROCUREMENT CONTRACT, A STATEMENT OF THE
4 CITY’S POLICY ON ZERO-EMISSION VEHICLES.

5 **§ 35A-5. ANNUAL REPORT.**

6 THE CITY PURCHASING AGENT, WITH COOPERATION FROM ALL CITY AGENCIES, SHALL
7 SUBMIT AN ANNUAL REPORT TO THE MAYOR AND CITY COUNCIL ON THE NUMBER AND
8 AMOUNT OF CONTRACTS AND SUBCONTRACTS THAT INCLUDED THE PURCHASE OF ZERO-
9 EMISSION VEHICLES AS PROVIDED FOR IN THIS SUBTITLE.

10 **§ 35A-6. RULES AND REGULATIONS.**

11 SUBJECT TO TITLE 4 {“ADMINISTRATIVE PROCEDURE ACT – REGULATIONS”} OF THE CITY
12 GENERAL PROVISIONS ARTICLE, THE DIRECTOR OF FINANCE MAY ADOPT RULES AND
13 REGULATIONS TO CARRY OUT THE PROVISIONS OF THIS SUBTITLE.

14 **SECTION 2. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th day
15 after the date it is enacted.