118TH CONGRESS 1ST SESSION

H. R. 3145

To allow property owners the discretion to make decisions regarding how many parking spots to provide in connection with certain new residential and commercial developments, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 9, 2023

Mr. ROBERT GARCIA of California (for himself, Mr. BLUMENTHAUER, Mr. MOULTON, and Mr. CASAR) introduced the following bill; which was referred to the Committee on Financial Services

A BILL

To allow property owners the discretion to make decisions regarding how many parking spots to provide in connection with certain new residential and commercial developments, and for other purposes.

1  Be it enacted by the Senate and House of Representa-
2  tives of the United States of America in Congress assembled,
3  

SECTION 1. SHORT TITLE.

4  This Act may be cited as the “People Over Parking
5  Act of 2023”.

SEC. 2. PREEMPTION OF STATE AND LOCAL LAWS REQUIRING THE PROVISION OF PARKING SPOTS FOR NEW DEVELOPMENTS.

(a) Authority Regarding Provision of Parking Spots.—In the case of a newly constructed or substantially reconstructed or rehabilitated residential, retail, commercial, or industrial structure in or affecting interstate or foreign commerce that is located not more than 0.5 miles from the closest covered public transit point, or a project for such new construction or substantial reconstruction or rehabilitation that has been permitted or otherwise authorized by the appropriate agency of local government to be undertaken, the owner of such structure or project shall have the sole discretion to determine how many automobile parking spots to provide in connection with such structure.

(b) Relation to State Law.—Any law, regulation, or other requirement of a State or political subdivision of a State that is inconsistent with this section is preempted, but only to the extent of such inconsistency.

(c) Definitions.—For purposes of this section, the following definitions shall apply:

(1) Covered public transit point.—The term “covered public transit point” means a passenger point of access to a fixed guideway, except
(A) with respect to a passenger ferry system, only a point of access that is serviced by an additional mode of public transportation; and

(B) with respect to a bus system that is not a bus rapid transit station, only a point of access that intersects 2 or more bus routes with a frequency of service interval at such point of access of not more than 15 minutes during morning and afternoon peak commuting periods.

(2) Fixed guideway; public transportation.—The terms “fixed guideway” and “public transportation” have the meanings given such terms in section 5302 of title 49, United States Code.