

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. BLUMENAUER, 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”.

1 **SEC. 2. PREEMPTION OF STATE AND LOCAL LAWS REQUIR-**
2 **ING THE PROVISION OF PARKING SPOTS FOR**
3 **NEW DEVELOPMENTS.**

4 (a) **AUTHORITY REGARDING PROVISION OF PARKING**
5 **SPOTS.**—In the case of a newly constructed or substan-
6 tially reconstructed or rehabilitated residential, retail,
7 commercial, or industrial structure in or affecting inter-
8 state or foreign commerce that is located not more than
9 0.5 miles from the closest covered public transit point, or
10 a project for such new construction or substantial recon-
11 struction or rehabilitation that has been permitted or oth-
12 erwise authorized by the appropriate agency of local gov-
13 ernment to be undertaken, the owner of such structure
14 or project shall have the sole discretion to determine how
15 many automobile parking spots to provide in connection
16 with such structure.

17 (b) **RELATION TO STATE LAW.**—Any law, regulation,
18 or other requirement of a State or political subdivision of
19 a State that is inconsistent with this section is preempted,
20 but only to the extent of such inconsistency.

21 (c) **DEFINITIONS.**—For purposes of this section, the
22 following definitions shall apply:

23 (1) **COVERED PUBLIC TRANSIT POINT.**—The
24 term “covered public transit point” means a pas-
25 senger point of access to a fixed guideway, except
26 that—

1 (A) with respect to a passenger ferry sys-
2 tem, only a point of access that is serviced by
3 an additional mode of public transportation;
4 and

5 (B) with respect to a bus system that is
6 not a bus rapid transit station, only a point of
7 access that intersects 2 or more bus routes with
8 a frequency of service interval at such point of
9 access of not more than 15 minutes during
10 morning and afternoon peak commuting peri-
11 ods.

12 (2) FIXED GUIDEWAY; PUBLIC TRANSPOR-
13 TATION.—The terms “fixed guideway” and “public
14 transportation” have the meanings given such terms
15 in section 5302 of title 49, United States Code.

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