

SEOUL METROPOLITAN GOVERNMENT ORDINANCE ON THE PROMOTION OF THE DEVELOPMENT AND DISTRIBUTION OF ENVIRONMENT-FRIENDLY MOTOR VEHICLES

Enactment No. 6285, Jul. 14, 2016
Partial Amendment No. 6397, Jan. 05, 2017
Amendment of Other Laws No. 6851, Mar. 22, 2018
Partial Amendment No. 6988, Jan. 03, 2019
Amendment of Other Laws No. 7046, Mar. 28, 2019
Partial Amendment No. 7070, Mar. 28, 2019
Amendment of Other Laws No. 7156, May. 16, 2019
Partial Amendment No. 7802, Dec. 31, 2020
Partial Amendment No. 8269, Dec. 30, 2021
Partial Amendment No. 8407, Apr. 28, 2022

Article 1 (Purpose)

The purpose of this Ordinance is to contribute to improve air quality and protect the health of the citizens by prescribing matters necessary to promote the development and distribution of environment-friendly motor vehicles under the Act on Promotion of Development and Distribution of Environment-Friendly Motor Vehicles and the Enforcement Decree of the same Act.

Article 2 (Definitions)

The terms used in this Ordinance are defined as follows: <Amended on Jan. 5, 2017; Mar. 28, 2019; Dec. 31, 2020; Apr. 28, 2022>

1. The term "environment-friendly motor vehicle" refers to motor vehicles under subparagraph 2 of Article 2 of the Act on Promotion of Development and Distribution of Environment-Friendly Motor Vehicles (hereinafter referred to as the Act);
2. The term "electric vehicle" refers to motor vehicles under subparagraph 3 of Article 2 of the Act;
3. The term "environment-friendly motor vehicle charging facilities" refers to electric vehicle charging facilities, hydrogen-fuel supply facilities, etc.;
4. The term "official motor vehicles of the Seoul Metropolitan City" refers to motor vehicles (including rented vehicles) under subparagraph 1 of Article 2 of the Motor Vehicle Management Act, which are managed and operated by the headquarters and affiliated administrative agencies of the Seoul Metropolitan City or the Seoul Metropolitan Council; Provided, That motorcycles are excluded;
5. The term "single parking bay" refers to a bay under subparagraph 7 of Article 2 of the Parking Lot Act;
6. Deleted <Dec. 31, 2020>
7. The term "hydrogen electric vehicle" refers to motor vehicles under subparagraph 6 of Article 2 of the Act;
8. The term "electric vehicle charging facilities" refers to the facility that charges electric vehicles with electric power;
9. The term "hydrogen fuel supply facility" refers to a facility under subparagraph 9 of Article 2 of the Act;
10. The term "charging fees" refers to the fess for charging with the environment-friendly motor vehicle charging facilities (hereinafter referred to as the "Charging Facility").

Article 3 (Duties)

- (1) The Mayor of Seoul Metropolitan City (hereinafter referred to as the "Mayor") shall endeavor to develop industries related to environment-friendly motor vehicles.
 - (2) The Mayor shall disclose to citizens information, such as statistics of environment-friendly motor vehicles and charging facilities thereof retained by the Seoul Metropolitan City.
 - (3) Citizens shall use environment-friendly motor vehicles on a preferential basis and cooperate on the policy for distribution of environment-friendly motor vehicles.
- [This Article Newly Inserted on Apr. 28, 2022]
[Previous Article 3 moved to Article 3-2 (Apr. 28, 2022)]

Article 3-2 (Policy for Distribution of Environment-Friendly Motor Vehicles)

- (1) The Mayor shall formulate and enforce a policy for the distribution of environment-friendly motor vehicles under Article 5(3) of the Act. <Amended on Jan. 5, 2017; Apr. 28, 2022>

(2) The Policy under paragraph (1) above shall include the following: <Amended on Apr. 28, 2022>

1. Environment-friendly motor vehicles to be distributed;
2. Units to be distributed for each type of environment-friendly motor vehicles;
3. Matters concerning the development of infrastructure, such as charging facilities, etc.;
4. Matters concerning the financing plan and standards for financial support; and
5. Other matters necessary to distribute environment-friendly motor vehicles.

(3) When formulating the policy for the distribution of environment-friendly motor vehicles, the Mayor shall endeavor to make citizens participate therein actively. <Newly Inserted on Dec. 31, 2020; Apr. 28, 2022>

(4) The Mayor shall report the policy under paragraphs (1) and (2) and the enforcement thereof to the relevant standing committee of Seoul Metropolitan Council. <Newly Inserted on Apr. 28, 2022>

(5) Deleted <Apr. 28, 2022>

(6) Deleted <Apr. 28, 2022>

[Title Amended on Apr. 28, 2022]

[Previous Article 3 moved <Apr. 28, 2022>]

Article 4 (Purchase of Environment-Friendly Motor Vehicles)

(1) When buying or renting official vehicles or vehicles for business use in the Seoul Metropolitan City (hereafter in this Article, the "Purchase"), the Mayor, the head of a public institution that the Seoul Metropolitan City establishes under the Local Public Enterprises Act, or the head of local government-invested or funded institutions under the Act on the Operation of Local Government-Invested or -Funded Institutions shall purchase environment-friendly motor vehicles. <Amended on Mar. 28, 2019; May 16, 2019; Apr. 28, 2022>

(2) When purchasing environment-friendly motor vehicles under paragraph (1) above, electric vehicles or hydrogen electric vehicles shall make up at least a certain percentage of the total fleet of vehicles, as prescribed by Article 18-2(1) of the Enforcement Decree of the Act on Promotion of Development and Distribution of Environment-Friendly Motor Vehicles (hereinafter referred to as the "Decree"). <Amended on Mar. 28, 2019; Dec. 31, 2020>

(3) Notwithstanding paragraphs (1) and (2) above, environment-friendly motor vehicles may not be purchased in consultation with the Minister of Trade, Industry, and Energy in any of the following cases: <Newly Inserted on Dec. 31, 2020>

1. When purchasing motor vehicles for passengers and freight under Article 3(1)2 of the Motor Vehicle Management Act or special motor vehicles under subparagraph 4 of the same paragraph; or
2. When purchasing motor vehicles not proper to use environment-friendly motor vehicles, such as motor vehicles for transporting freights;

Article 5 (Support for Purchasers and Owners)

(1) The Mayor may provide purchasers or owners of environment-friendly motor vehicles with necessary support under Article 10 of the Act. <Amended on Dec. 30, 2021; Apr. 28, 2022>

(2) The Mayor shall provide support for electric motorcycles, among environment-friendly motor vehicles, after verifying the following: <Newly Inserted on Dec. 30, 2021>

1. Whether the manufacturer and importer of electric motorcycles have the after-sale repair system; and
2. Whether the manufacturer and importer of electric motorcycles submit one or more of the after-sale service confirmation policy deed or insurance policy and guarantee deed.

Article 6 (Support for Operation)

(1) The Mayor may require each owner of an environment-friendly motor vehicle to place an environment-friendly motor vehicle mark outside his or her vehicle to make the mark easily noticeable.

(2) Matters necessary for the specification of the mark referred to in paragraph (1) above shall be prescribed by Article 5 of the Enforcement Rule of the Act on Promotion of Development and Distribution of Environment-Friendly Motor Vehicles. <Amended on Jan. 3, 2019>

(3) The Mayor shall prepare necessary support measures for motor vehicles bearing the mark referred to in paragraph (1) above.

(4) The Mayor may enforce separate policies for environment-friendly motor vehicles used in the passenger transport service under Article 2 of the Passenger Transport Service Act.

(5) The Mayor may provide motor vehicles bearing the mark referred to in paragraph (1) above with the following supports: <Newly Inserted on Jan. 3, 2019; Apr. 28, 2022>

1. Complete or partial reduction or exemption from parking fees for public parking lots that are installed and operated by the Mayor and parking lots of public institutions;
2. Traffic-congestion charges; and
3. Other matters that the Mayor recognizes as necessary.

(6) Matters not stipulated by paragraph (5)1 above shall be governed by the Seoul Metropolitan Government Ordinance on the Installation and Management of Parking Lots. And the matters not stipulated by paragraph (5)2 shall be governed by the Seoul Metropolitan Government Ordinance on the Collection of Traffic-Congestion Charges. <Newly Inserted on Jan. 3, 2019; Mar. 28, 2019>

Article 7 (Support for Exclusive Parking Areas, Charging Facilities, etc.)

(1) The Mayor may install and operate exclusive parking areas (hereinafter referred to as "Exclusive Parking Areas") and charging facilities for environment-friendly motor vehicles to promote the distribution of environment-friendly motor vehicles. <Amended on Apr. 28, 2022>

(2) The Mayor may prepare the necessary measures, such as financial support, technical support, use, permission for profit, rent, etc. of public property, etc. in order to relieve the burden of installation of exclusive parking areas and charging facilities in multi-family housing, etc. and promote the installation thereof. <Amended on Jan. 5, 2017; Apr. 28, 2022>

(3) The rate of annual use fees and rental fees according to the provision of public property under paragraph (2) above shall be 10/1,000 or more of assessed price of the relevant property and may be reduced within a limit of 80/100. <Newly Inserted on Jan. 5, 2017; Apr. 28, 2022>

(4) Where public property is rented under paragraph (3) above, the Mayor may have permanent facilities reduced on condition of the voluntary removal or deposit of removal costs; Provided, That it is required to obtain approval of the Seoul Metropolitan Council after being deliberated by the Public Property Council under Article 4 of the Seoul Metropolitan Government Ordinance on the Management of Public Property and Commodity in order to reduce the permanent facilities in the public property. <Newly Inserted on Apr. 28, 2022>

(5) The Mayor may determine and publicly announce matters necessary for standards, method, etc. for the provision of financial support, etc. under paragraph (2) above. <Amended on Jan. 5, 2017; Apr. 28, 2022>

(6) The Mayor may support, within a budgetary limit, a person who installs and operates exclusive parking areas and charging facilities to promote the distribution and use of environment-friendly motor vehicles. <Newly Inserted on Dec. 31, 2020; Apr. 28, 2022>

[Title Amended on Apr. 28, 2022]

Article 7-2 (Facilities in which Exclusive Parking Areas and Charging Facilities are Installed)

(1) Exclusive parking areas and charging facilities shall be installed in the facilities that fall under any of the following subparagraphs and have 50 or more single parking bays (excluding the number of single parking bays in mechanical parking lots under the same Act; hereinafter referred to as the "total number of spots") under the Parking Lot Act: <Amended on Mar. 28, 2019; Apr. 28, 2022>

1. Facility under Articles 18-5(1) and (2) of the Decree; or

2. Parking lot installed by the Mayor or head of Gu under subparagraph 1 of Article 2 of the Parking Lot Act;

(2) The owner or manager of a facility or the owner of a building who shall install exclusive parking areas and charging facilities under paragraph (1) above shall have the following included in the plans for construction or management of facilities: <Amended on Mar. 28, 2019; Apr. 28, 2022>

1. Type and quantity of charging facilities;

2. Number of exclusive parking areas; and

3. Other matters recognized as necessary for the installation of charging facilities.

[This Article Newly Inserted on Jan. 5, 2017]

[Title Amended on Apr. 28, 2022]

Article 7-3 (Installation of Exclusive Parking Areas)

(1) Exclusive parking areas to be installed under Article 7-2(1) shall be 5/100 or more of the total number of spots; Provided, That the facilities whose construction was permitted on or before Jan. 28, 2022 (hereinafter referred to as "Already Constructed Facility") shall be as follows: <Amended on Apr. 28, 2022>

1. Facility owned and managed by the State, autonomous Gu, public institution, public enterprise affiliated with the Seoul

Metropolitan City, and agency that falls under any of the subparagraphs of Article 18-9(1) of the Decree: 5/100 or more of the total number of spots;

2. Facilities other than the facility under subparagraph 1 above: 2/100 or more of the total number of spots.

(2) Notwithstanding paragraph (1) above, exclusive parking areas may not be installed in the following cases: <Newly Inserted on Apr. 28, 2022>

1. Where a project enforcement plan is approved under Article 50 of the Act on the Improvement of Urban Areas and Residential Environments and it is scheduled to remove the relevant facility under the approved project enforcement plan; or

2. Where the Head of the relevant Gu recognizes that it would be impossible or substantially difficult to install exclusive parking areas.

(3) When the number of exclusive parking areas to be installed under paragraph (1) above is calculated, it shall be rounded off to the nearest whole number. <Amended on Apr. 28, 2022>

[This Article Newly Inserted on Jan. 5, 2017]

[Title Amended on Apr. 28, 2022]

Article 7-4 (Installation of Charging Facilities)

(1) Charging facilities that are installed under Article 7-2(1) shall be classified into fast charging facilities and slow charging facilities under Article 18-7(1) of the Decree and shall use chargers certified or declared under Article 5 or 15 of the Electrical Appliances and Consumer Products Safety Control Act. <Amended on Apr. 28, 2022>

(2) The number of charging facilities to be installed under paragraph (1) above shall be 5/100 or more of the total number of spots (2/100, in the case of already constructed facilities). Where the number of charging facilities under this ratio is 10 or more, at least 1 fast charging facility shall be installed. <Amended on Apr. 28, 2022>

(3) When the number of charging facilities to be installed under paragraph (2) above is calculated, it shall be rounded off to the nearest whole number. <Amended on Apr. 28, 2022>

(4) Notwithstanding paragraphs (1) and (2) above, charging facilities may not be installed, where falling under any of the subparagraphs of Article 7-3(2): <Amended on Apr. 28, 2022>

(5) When charging facilities are installed under Article 7-2(1), marks, etc. which show standards for imposition of administrative fines under Article 21 of the Decree may be installed. <Newly Inserted on Apr. 28, 2022>

[This Article Newly Inserted on Jan. 5, 2017]

[Title Amended on Apr. 28, 2022]

Article 7-5 (Opening of Charging Facilities)

The Mayor shall open to the public charging facilities that the Seoul Metropolitan City develops, operates, and supports to an extent that does not impede the performance of his/her duties or security, and shall disclose information, such as the location, available hours and the terms and conditions for access to the charging facilities open to the public.

[This Article Newly Inserted on Apr. 28, 2022]

Article 8 (Collection of Charging Fees)

The Mayor may collect charging fees from persons who use the charging facilities for environment-friendly motor vehicles, which are owned by the Seoul Metropolitan City.

[This Article Newly Inserted on Dec. 31, 2020]

[Previous Article 8 moved to Article 10 <Dec. 31, 2020>]

Article 9 (Charging Fees Deliberation Committee)

(1) The Mayor shall establish the Seoul Metropolitan City Charging Fees Deliberation Committee (hereinafter referred to as the "Committee") to deliberate on matters concerning the determination of charges, such as calculation of charging fees, etc.

(2) The Committee shall comprise around nine (9) members including one (1) chairperson and one (1) vice-chairperson. The chairperson shall be elected from commissioned members by mutual vote and members shall be as follows: <Amended on Apr. 28, 2022>

1. Ex-officio members: Directors general of offices or headquarters for environment or energy;

2. Commissioned members: Members of the Seoul Metropolitan Council or accounting experts or persons that the Mayor commissions from among persons with sufficient knowledge and experience in charging facilities.

- (3) The term of office of commissioned members shall be 2 years and such members may serve consecutive terms only twice; Provided, That the term of office of supplementary members shall be the remaining term of office of the preceding member.
- (4) Committee meetings shall be convened by a chairperson and started when a majority of registered members are present and resolved by vote of a majority of the members present.
- (5) Allowance and travel expenses may, within a budgetary limit, be provided for members of the Committee who attend Committee meetings but are not public officials:
- (6) Matters concerning the Committee not prescribed by this Ordinance shall be governed by the Seoul Metropolitan Government Ordinance on the Establishment and Operation of Various Committees. <Amended on Apr. 28, 2022>
- [This Article Newly Inserted on Dec. 31, 2020]
- [Previous Article 9 moved to Article 11 <Dec. 31, 2020>]

Article 10 (Public Relations and Education)

- (1) The Mayor may request organizations, etc. related to motor vehicles prescribed by Article 19 of the Decree to execute public relations necessary to distribute environment-friendly motor vehicles. <Amended on Mar. 28, 2019>
- (2) The Mayor may execute public relations and education on citizens, public officials, etc. to distribute environment-friendly motor vehicles.
- [Previous Article 8 moved <Dec. 31, 2020>]

Article 11 (Consignment of Tasks)

- The Mayor may consign agencies specialized in environment-friendly motor vehicles, such as Seoul Energy Corporation, with part of the following:
1. Support to promote the distribution of environment-friendly motor vehicles under Articles 5, Articles 5, and Articles 5;
 2. Collection of charging fees under Article 8; or
 3. Other tasks that the Mayor recognizes as necessary for the distribution of charging facilities.
- [This Article Newly Inserted on Apr. 28, 2022]
- [Previous Article 11 moved to Article 12 <Apr. 28, 2022>]

Article 12 (Enforcement Rules)

- Matters required to enforce this Ordinance may be prescribed as rules.
- [Previous Article 11 moved <Apr. 28, 2022>]

Addenda <No. 6285, Jul. 14, 2016>

This Ordinance shall enter into force on the date of its promulgation.

Addenda <No. 6397, Jan. 5, 2017>

Article 1 (Enforcement Date)

This Ordinance shall enter into force on the date 3 months after its promulgation.

Article 2 (Transitional Measures concerning Facilities Equipped with Charging Facilities)

Article 7-2(1)1 shall apply to the following: facilities that obtain their building permission under Article 11 of the Building Act after this Ordinance is enforced; facilities that notify their building construction under Article 14 of the same Act; facilities that consult with the permitting authority having jurisdiction over the location of the building under Article 29 of the same Act; or multi-family housing that obtains approval of project plans under Articles 16(1) or (3) of the Housing Act.

Addenda (Seoul Metropolitan Government Ordinance on the Comprehensive Reorganization of Local Statutes) <No. 6851, Mar. 22, 2018>

This Ordinance shall enter into force on the date of its promulgation.

Addenda <No. 6988, Jan. 3, 2019.>

This Ordinance shall enter into force on the date of its promulgation.

Addenda (Seoul Metropolitan Government Ordinance on the Comprehensive Reorganization of Word Spacing) <No. 7046, Mar. 28, 2019>

Article 1 (Enforcement Date)

This Ordinance shall enter into force on the date of its promulgation.

Article 2 (Revision of Other Ordinances)

(1) through (41) Omitted.

(42) The Seoul Metropolitan Government Ordinance on Promotion of Development and Distribution of Environment-Friendly Motor Vehicles shall be revised as follows:

"Seoul Metropolitan Government Ordinance on the Installation and Management of Parking Lots" in Articles 6(6) and 7-2(2)3 shall be revised to "Seoul Metropolitan Government Ordinance on the Installation and Management of Parking Lots," respectively.

(43) through (57) Omitted.

Addenda <No. 7070, Mar. 28, 2019>

This Ordinance shall enter into force on the date of its promulgation.

Addenda (Seoul Metropolitan Government Ordinance on the Comprehensive Reorganization of "Local" Word Spacing) <No. 7156, May 16, 2019>

This Ordinance shall enter into force on the date of its promulgation.

Addenda <No. 7802, Dec. 31, 2020>

This Ordinance shall enter into force on the date of its promulgation; Provided, That the revision of Articles 4(2) and (3) shall enter into force on Jan. 1, 2021.

Addenda <No. 8269, Dec. 30, 2021>

Article 1 (Enforcement Date)

This Ordinance shall enter into force on the date of its promulgation.

Article 2 (Applicability)

The amended provisions of Article 5(2) shall apply to the initial support after this Ordinance is enforced.

Addenda <No. 8407, Apr. 28, 2022>

Article 1 (Enforcement Date)

This Ordinance shall enter into force on the date of its promulgation.

Article 2 (Grace Period of Standards for Installation of Exclusive Parking Areas and Charging Facilities for Already Constructed Facilities)

An owner of facilities that obtain their building permission on or before Jan. 28, 2022 (or manager, where there is a person obligated to manage the facilities) shall install exclusive parking areas and charging facilities for environment-friendly motor vehicles from the date of enforcement of the Decree to the following periods; Provided, That such periods may be extended up to 4 years with approval from the head of Gu where there are unavoidable circumstances, such as installation of electricity receiving facilities, etc.:

1. Facilities that fall under Article 7-2(1)1: The following periods

A. Public facilities already constructed: 1 year

B. Apartment complex or dormitory with 100 or more households: 3 years

C. Facilities other than those falling under items (a) or (b): 2 years

2. Facilities that fall under Article 7-2(1)2: 1 year

Article 3 (Transitional Measures concerning Prior Approval for Construction of Permanent Facilities)

Permanent facilities that were constructed or under construction under then-existing ordinances at the time of enforcement of this Ordinance shall be deemed that they are approved under Article 7(4) of this Ordinance.