

HOUSE BILL 1028

C2

4lr3111
CF SB 951

By: **Delegate Allen**

Introduced and read first time: February 5, 2024

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Business Regulation – Electric Vehicle Supply Equipment – Regulations for**
3 **Retail Use**

4 FOR the purpose of requiring the Comptroller to adopt regulations for the retail use of
5 electric vehicle supply equipment in the State; requiring the Comptroller, in
6 consultation with the Public Service Commission, to submit a report on the
7 development and enforcement of the regulations adopted under this Act to the
8 General Assembly on or before a certain date; and generally relating to electric
9 vehicle supply equipment.

10 BY adding to

11 Article – Business Regulation
12 Section 19–1001 through 19–1003 to be under the new subtitle “Subtitle 10. Electric
13 Vehicle Supply Equipment”
14 Annotated Code of Maryland
15 (2015 Replacement Volume and 2023 Supplement)

16 BY repealing and reenacting, without amendments,

17 Article – Public Utilities
18 Section 7–901(a), (b), and (e)
19 Annotated Code of Maryland
20 (2020 Replacement Volume and 2023 Supplement)

21 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
22 That the Laws of Maryland read as follows:

23 **Article – Business Regulation**

24 **SUBTITLE 10. ELECTRIC VEHICLE SUPPLY EQUIPMENT.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **19-1001.**

2 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
3 INDICATED.

4 (B) “DIRECT CURRENT FAST CHARGER” MEANS EV SUPPLY EQUIPMENT:

5 (1) CAPABLE OF SUPPLYING DIRECT CURRENT ELECTRICITY TO AN
6 ELECTRIC VEHICLE; AND

7 (2) FITTED WITH AN EV CHARGING CONNECTOR.

8 (C) “EV CHARGING CONNECTOR” MEANS A DEVICE THAT ATTACHES AN
9 ELECTRIC VEHICLE TO AN EV CHARGING PORT TO FACILITATE THE TRANSFER OF
10 ELECTRICITY TO AN ELECTRIC VEHICLE.

11 (D) “EV CHARGING PORT” MEANS THE PORTION OF AN EV CHARGING
12 STATION THAT ATTACHES AN EV CHARGING CONNECTOR WITH THE EV CHARGING
13 STATION.

14 (E) “EV CHARGING STATION” MEANS A CONNECTED POINT IN EV SUPPLY
15 EQUIPMENT:

16 (1) AT WHICH CURRENT IS TAKEN TO CHARGE A BATTERY OR ANY
17 OTHER ENERGY STORAGE DEVICE IN AN ELECTRIC VEHICLE; AND

18 (2) CAPABLE OF PROVIDING CHARGING THAT IS AT LEAST:

19 (I) LEVEL 2 CHARGING; OR

20 (II) DIRECT CURRENT FAST CHARGER CHARGING.

21 (F) “EV SERVICE PROVIDER” MEANS AN ENTITY RESPONSIBLE FOR
22 OPERATING ONE OR MORE EV SUPPLY EQUIPMENT UNITS, INCLUDING BEING
23 RESPONSIBLE FOR:

24 (1) SENDING OR RECEIVING COMMANDS OR MESSAGES TO AN EV
25 CHARGING NETWORK AS DEFINED IN § 7-901 OF THE PUBLIC UTILITIES ARTICLE;
26 AND

27 (2) PROVIDING BILLING, MAINTENANCE, RESERVATIONS, AND OTHER
28 SERVICES FOR AN EV SUPPLY EQUIPMENT UNIT.

(G) “EV SUPPLY EQUIPMENT” MEANS A UNIT THAT CONTROLS THE POWER SUPPLY TO ONE OR MORE ELECTRIC VEHICLES AT AN EV CHARGING STATION.

(H) “LEVEL 2 CHARGING” HAS THE MEANING STATED IN § 7-901 OF THE PUBLIC UTILITIES ARTICLE.

(I) “UPTIME” MEANS THE AVAILABILITY AND CONSISTENCY OF AN EV CHARGING STATION TO SUCCESSFULLY DISPENSE ELECTRICITY AS DESIGNED, MEASURED AS A PERCENTAGE OF BOTH HOURS AND DAYS OF A CALENDAR YEAR.

19-1002.

THIS SUBTITLE DOES NOT APPLY TO:

(1) EV SUPPLY EQUIPMENT THAT IS USED FOR NONCOMMERCIAL PURPOSES; OR

(2) EV SUPPLY EQUIPMENT THAT SUPPLIES WHOLESALE ELECTRICITY.

19-1003.

(A) THE COMPTROLLER SHALL ADOPT REGULATIONS FOR THE RETAIL USE OF EV SUPPLY EQUIPMENT IN THE STATE.

(B) SUBJECT TO SUBSECTION (C) OF THIS SECTION, THE REGULATIONS SHALL:

(1) ESTABLISH DIFFERENT PAYMENT OPTIONS FOR THE RETAIL USE OF EV SUPPLY EQUIPMENT, INCLUDING:

(I) CREDIT CARD, MOBILE PHONE, AND TOLL-FREE NUMBER PAYMENT OPTIONS; AND

(II) OPTIONS FOR CUSTOMERS WITH DISABILITIES AND NON-ENGLISH SPEAKING CUSTOMERS;

(2) PROHIBIT AN EV SERVICE PROVIDER FROM REQUIRING A SUBSCRIPTION OR MEMBERSHIP TO INITIATE A CHARGING SESSION;

(3) AUTHORIZE AN EV SERVICE PROVIDER TO OFFER SERVICES ON A SUBSCRIPTION OR MEMBERSHIP BASIS;

(4) ESTABLISH REQUIREMENTS FOR TRANSPARENT INFORMATION REGARDING EV CHARGING STATIONS, INCLUDING CHARGING RATES, LOCATION, ACCESSIBILITY, AND REAL-TIME AVAILABILITY;

(5) ENABLE USERS WHO HAVE A SUBSCRIPTION OR MEMBERSHIP WITH AN EV SERVICE PROVIDER TO USE AN EV CHARGING STATION THAT IS NOT PART OF THE SUBSCRIPTION OR MEMBERSHIP;

(6) ESTABLISH EMPLOYEE TRAINING OR CERTIFICATION REQUIREMENTS FOR INDIVIDUALS WHO INSTALL OR PERFORM MAINTENANCE ON EV SUPPLY EQUIPMENT;

(7) ESTABLISH MINIMUM POWER OUTPUT LIMITS FOR EV SUPPLY EQUIPMENT AND EV CHARGING STATIONS;

(8) ESTABLISH REGISTRATION AND CERTIFICATION REQUIREMENTS;

(9) REQUIRE THE SUBMISSION OF REPORTS ON EV SUPPLY EQUIPMENT TO:

(I) THE OFFICE OF THE COMPTROLLER;

(II) THE PUBLIC SERVICE COMMISSION; AND

(III) THE ALTERNATIVE FUELS DATA CENTER IN THE U.S. DEPARTMENT OF ENERGY;

(10) ESTABLISH LABELING REQUIREMENTS, INCLUDING LABELING REQUIREMENTS FOR EV CHARGING STATION CHARGING RATES, CAPACITY, AND VOLTAGE;

(11) REQUIRE AN UPTIME OF 97%;

(12) SPECIFY HOW UPTIME WILL BE MEASURED, INCLUDING:

(I) WHETHER UPTIME MUST BE CALCULATED PER EV CHARGING PORT OR PER EV CHARGING CONNECTOR;

(II) THE DATE TO WHICH DOWNTIME IS BACKDATED; AND

(III) WHETHER DOWNTIME INCLUDES EV CHARGING STATION DISCONNECTION OR BROKEN INTERFACE FEATURES WHEN THE EV SUPPLY EQUIPMENT CAN STILL OUTPUT ELECTRICITY;

1 (13) IF DETERMINED APPROPRIATE BY THE COMPTROLLER,
2 ESTABLISH EXEMPTIONS FROM THE UPTIME REQUIREMENT OF 97%;

3 (14) ESTABLISH CUSTOMER SUPPORT REQUIREMENTS, INCLUDING:

4 (I) LABELING REQUIREMENTS FOR PROVIDING CUSTOMER
5 SUPPORT INFORMATION ON AN EV CHARGING STATION; AND

6 (II) MINIMUM HOURS OF OPERATION FOR:

7 1. GENERAL CUSTOMER SERVICE NEEDS; AND

8 2. PROVIDING OR DISPATCHING CUSTOMER
9 ASSISTANCE;

10 (15) ESTABLISH MINIMUM HOURS OF OPERATION FOR EV CHARGING
11 STATIONS;

12 (16) REQUIRE PROACTIVE MONITORING OF EV SUPPLY EQUIPMENT
13 AND EV CHARGING STATIONS;

14 (17) ESTABLISH STANDARDS AND PROCEDURES FOR ACCURATE FIELD
15 STANDARDS IN ACCORDANCE WITH THE MOST RECENT EDITION OF THE NATIONAL
16 INSTITUTE OF STANDARDS AND TECHNOLOGY HANDBOOK 44;

17 (18) IF DETERMINED APPROPRIATE BY THE COMPTROLLER,
18 ESTABLISH STANDARDS FOR THE USE OF:

19 (I) COMBINED CHARGING SYSTEMS, UNDER WHICH A
20 STANDARD EV CHARGING CONNECTOR ALLOWS A DIRECT CURRENT FAST CHARGER
21 TO CONNECT TO, COMMUNICATE WITH, AND CHARGE AN ELECTRIC VEHICLE; OR

22 (II) NORTH AMERICAN CHARGING SYSTEMS, UNDER WHICH A
23 TESLA STANDARD EV CHARGING CONNECTOR ALLOWS A DIRECT CURRENT FAST
24 CHARGER TO CONNECT TO, COMMUNICATE WITH, AND CHARGE AN ELECTRIC
25 VEHICLE; AND

26 (19) ESTABLISH CIVIL PENALTIES FOR NONCOMPLIANCE WITH THE
27 REGULATIONS.

28 (C) REGULATIONS ADOPTED IN ACCORDANCE WITH THIS SECTION SHALL:

(1) COMPLY WITH THE FEDERAL HIGHWAY ADMINISTRATION'S
NATIONAL ELECTRIC VEHICLE INFRASTRUCTURE FORMULA PROGRAM; AND

(2) PROVIDE A DELAYED APPLICABILITY DATE FOR EV SUPPLY
EQUIPMENT INSTALLED BEFORE THE DATE THE REGULATIONS ARE INITIALLY
ADOPTED.

Article – Public Utilities

7–901.

(a) In this subtitle the following words have the meanings indicated.

(b) “EV charging network” means the total number of EV charging stations an
electric company installs or maintains for public use.

(e) “Level 2 charging” means the ability to charge a battery or other energy
storage device in an electric vehicle in a manner that:

(1) is capable of using an alternating current electrical service with a
minimum of 208 volts; and

(2) meets applicable industry safety standards.

SECTION 2. AND BE IT FURTHER ENACTED, That on or before January 15, 2025,
the Comptroller, in consultation with the Public Service Commission, shall submit a report
to the General Assembly, in accordance with § 2–1257 of the State Government Article, on:

(1) the progress made in developing the regulations required under Section
1 of this Act; and

(2) the resources required for the enforcement of the regulations required
under Section 1 of this Act.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July
1, 2024.