

HOUSE BILL 1280

C5

2lr2946
CF 2lr2947

By: **Delegates McHale and Malone**

Introduced and read first time: February 14, 2012

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Public Utilities – Electric Vehicle Users and Charging Stations – Exclusions**

3 FOR the purpose of altering certain definitions of “electricity supplier” and “public
4 service company” to exclude, for purposes of certain provisions of law, a person
5 that owns or operates equipment used for charging electric vehicles; altering a
6 certain definition of “retail electric customer” to exclude, for purposes of certain
7 provisions of law, a person that charges an electric vehicle at an electric vehicle
8 charging station; and generally relating to exclusions from certain provisions of
9 law for electric vehicle users and charging stations.

10 BY repealing and reenacting, without amendments,
11 Article – Public Utilities
12 Section 1–101(a)
13 Annotated Code of Maryland
14 (2010 Replacement Volume and 2011 Supplement)

15 BY repealing and reenacting, with amendments,
16 Article – Public Utilities
17 Section 1–101(j), (x), and (cc)
18 Annotated Code of Maryland
19 (2010 Replacement Volume and 2011 Supplement)

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

22 **Article – Public Utilities**

23 1–101.

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (j) (1) “Electricity supplier” means a person:

2 (i) who sells:

3 1. electricity;

4 2. electricity supply services;

5 3. competitive billing services; or

6 4. competitive metering services; or

7 (ii) who purchases, brokers, arranges, or markets electricity or
8 electricity supply services for sale to a retail electric customer.

9 (2) “Electricity supplier” includes an electric company, an aggregator,
10 a broker, and a marketer of electricity.

11 (3) “Electricity supplier” does not include:

12 (i) the following persons who supply electricity and electricity
13 supply services solely to occupants of a building for use by the occupants:

14 1. an owner/operator who holds ownership in and
15 manages the internal distribution system serving the building; or

16 2. a lessee/operator who holds a leasehold interest in
17 and manages the internal distribution system serving the building; [or]

18 (ii) a person who generates on-site generated electricity; OR

19 **(III) A PERSON THAT OWNS OR OPERATES EQUIPMENT USED**
20 **FOR CHARGING ELECTRIC VEHICLES, INCLUDING A PERSON THAT OWNS OR**
21 **OPERATES:**

22 **1. AN ELECTRIC VEHICLE CHARGING STATION;**

23 **2. ELECTRIC VEHICLE SUPPLY EQUIPMENT; OR**

24 **3. AN ELECTRIC VEHICLE CHARGING STATION**
25 **SERVICE COMPANY OR PROVIDER.**

26 (x) (1) “Public service company” means a common carrier company,
27 electric company, gas company, sewage disposal company, telegraph company,
28 telephone company, water company, or any combination of public service companies.

1 (2) “Public service company” does not include:

2 **(I)** a campground that provides water, electric, gas, sewage, or
3 telephone service to campers incident to the campground’s primary business of
4 operating and maintaining the campground; **OR**

5 **(II)** **A PERSON THAT OWNS OR OPERATES EQUIPMENT USED**
6 **FOR CHARGING ELECTRIC VEHICLES, INCLUDING A PERSON THAT OWNS OR**
7 **OPERATES:**

8 **1. AN ELECTRIC VEHICLE CHARGING STATION;**

9 **2. ELECTRIC VEHICLE SUPPLY EQUIPMENT; OR**

10 **3. AN ELECTRIC VEHICLE CHARGING STATION**
11 **SERVICE COMPANY OR PROVIDER.**

12 (cc) (1) “Retail electric customer” means a purchaser of electricity for end
13 use in the State.

14 (2) “Retail electric customer” excludes:

15 (i) an occupant of a building in which the owner/operator or
16 lessee/operator manages the internal distribution system serving the building and
17 supplies electricity and electricity supply services solely to occupants of the building
18 for use by the occupants; **[and]**

19 (ii) a person who generates on–site generated electricity, to the
20 extent the on–site generated electricity is consumed by that person or its tenants; **AND**

21 **(III)** **A PERSON THAT CHARGES AN ELECTRIC VEHICLE AT AN**
22 **ELECTRIC VEHICLE CHARGING STATION.**

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
24 October 1, 2012.