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Electric Vehicle Recharging Equipment for Multi-Family Units Act Fact Sheet

*Overview*

Many Marylanders who live in multi-unit dwellings or are governed by a Homeowner's Association (HOA) often face obstacles to making an investment in electric vehicles (EVs) because of the difficulty of installing recharging equipment in their buildings.

In recent years, EV sales have greatly increased throughout the United States. In 2018, more than 360,000 electric vehicles were sold in the U.S, an increase of 81 percent compared to 2017.<sup>1</sup> Maryland currently has a goal of having 300,000 zero-emission vehicles on the road by 2025. Vehicle registration data shows that as of 2020, Maryland has 25,752 personal EVs on the road.<sup>2</sup> While this is a significant increase from just over 600 EVs in 2012, Maryland is still well behind its 2025 goal. The Maryland Electric Vehicle Infrastructure Council laid out two objectives to get the state back on track: install more electric vehicle chargers and ensure equitable placement of those chargers.

The purpose of the Electric Vehicle Recharging Equipment for Multi-Family Units Act is to create a process for HOAs or condo boards to allow—and not prohibit or unreasonably restrict—the installation or use of electric vehicle recharging equipment in a unit owner's designated or deeded parking space.

The Electric Vehicle Recharging Equipment for Multi-Family Units Act has bipartisan support and passed the House of Delegates overwhelmingly in the 2019 and 2020 legislative sessions. The legislation also has the support of a wide-variety of stakeholders, both from electric vehicle advocates and from HOAs. The Community Associations Institute (CAI), one of the nation's largest advocacy groups representing community associations and homeowners, provided

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<sup>1</sup> Erin B. Logan, "Howard Legislation Would Require New Homes to Support Electric Vehicle Charging Stations," *Baltimoresun.com*, October 25, 2018, , <https://www.baltimoresun.com/news/maryland/howard/ph-ho-cf-electric-legislation-1025-story.html>.

<sup>2</sup> "ZEV/CAV in Maryland" (Maryland Department of Transportation, December 15, 2020), [https://mgaleg.maryland.gov/2021RS/meeting\\_material/ent%20-%20132522017821140683%20-%20ENT\\_MVSub\\_Meeting%20Materials\\_Dec.15\\_2020.pdf](https://mgaleg.maryland.gov/2021RS/meeting_material/ent%20-%20132522017821140683%20-%20ENT_MVSub_Meeting%20Materials_Dec.15_2020.pdf)

language to protect the rights of their members while still ensuring access for EV owners. CAI now supports the legislation and has submitted favorable testimony.

Across Maryland, other counties have already made tremendous progress in making EV use more accessible to residents in multi-unit dwellings. For example, in 2018, Howard County passed an ordinance mandating that all new residential builds in Howard must have the wiring necessary to support EV use, and that multi-unit buildings must have at least one pre-installed EV charger for every 25 parking spots.<sup>3</sup> This progress highlights the importance of modernizing residential infrastructure to support a new generation of vehicles and provides a road map for how other counties can better support EV use.

### *Applications*

The legislation sets up a mechanism for the HOA governing body or condo board and the EV owner to collaborate on getting an EV charging station installed, which would help overcome a significant barrier to those who wish to drive plug-in cars. The bill mandates that the HOA or condo board shall process and treat an application to install EV charging equipment in the same manner as it does for an approval of an architectural modification to the home or condominium. Additionally, if the application is not denied within 60 days of the application being submitted, the request shall be considered approved. This is to prevent the governing body from willfully avoiding or delaying the review process.

Aligning the application process for EV charging equipment with that of standard architectural modifications that a governing body might review guarantees that the application will be reviewed and seriously considered in a timely manner. We have heard anecdotally from many EV owners who feel that asking their building's governing body for permission to install EV equipment is not worth the time because they assume the governing body will just say no or that the application process will be too arduous and time-consuming. Simplifying the EV equipment application and treating it like any other application will encourage more EV owners to pursue installing recharging equipment.

### *Restrictions*

The legislation imposes reasonable limitations on where an EV owner can install recharging equipment. The governing body has the right to deny an EV owner a request to install recharging equipment in a certain area if such installation prevents the normal use of that area. For example, an EV owner would not be permitted to install recharging equipment in their designated parking space if the equipment impeded the use of an adjacent parking spot.

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<sup>3</sup> Erin B. Logan, "Howard Legislation Would Require New Homes to Support Electric Vehicle Charging Stations," *Baltimoresun.com*, October 25, 2018, , <https://www.baltimoresun.com/news/maryland/howard/ph-ho-cf-electric-legislation-1025-story.html>.

## *Standards*

In addition to ensuring that their charging equipment does not obstruct areas outside of their parking space, EV owners must meet a series of other standards before the governing body must approve their installation request. The following standards are designed to protect the governing body from liability and ensure that the charging equipment is properly installed and maintained. EV owners must:

1. Comply with the governing body's architectural standards for the installation of electric vehicle recharging equipment.
2. Engage a licensed contractor to install the electric vehicle recharging equipment.
3. Pay for the electricity usage associated with the separately metered electric vehicle recharging equipment.
4. Cover the costs for installation, maintenance, repair or removal of the recharging equipment.
5. Provide a certificate of insurance naming the condominium association as an additional insured party and reimburse the association for the cost of an increased insurance premium if that increase is attributable to the installation of electric vehicle recharging equipment.
6. The installation of the recharging equipment must be consistent with the building's safety codes and architectural standards to maintain the safety of all users of the common area.

## *Grant Program for Out-dated Garages*

The legislation establishes a grant program in the Maryland Energy Administration (MEA)—paid for from the existing revenues in the Strategic Energy Investment Fund—for HOAs and condo boards to update their garages to support EV use. Given the amount of electricity required to operate the EV recharging equipment, some garages may not have the wiring needed to support such charging equipment. In some cases, a complete rewiring of the garage is necessary to update the facility for EV use. Even installing an outlet capable of supporting EV equipment can cost upwards of \$4,000 and that does not even include additional rewiring and electrical work that would have to be done on the rest of the garage.<sup>4</sup> While some EV owners may be willing to bare that financial burden, outdated garages are a major deterrent to EV use in multi-unit buildings.

The HOA or condo board may apply to the MEA for funds to assist in updating their garage's wiring to support EV use. This has benefits for both the EV owners and the HOAs/condo boards. Updated garages will facilitate the installation of new EV equipment, and it will also increase the value of the property and could help attract other tenants who own EVs.

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<sup>4</sup> Demont-Heinrich, Christof. "\$4,000 to Install a 240-volt Electric Car Outlet in an HOA Garage?" SolarChargedDriving.Com. September 07, 2017. <https://solarchargeddriving.com/2017/09/07/4000-to-install-a-240-volt-electric-car-outlet-in-an-hoa-garage/>.

### *Conclusion*

Electric vehicles are a vital part of Maryland's renewable energy future and will help our state do its part to reduce emissions in order to fight the effects of climate change. Even though electric vehicle use is on the rise in Maryland, our state is currently deterring a large number of its residents who live in multi-family dwellings from contributing to this clean energy future. If Maryland is to meet its ambitious EV goals, the state must make it easier for residents to install recharging equipment. This legislation will not only make it easier for residents of multi-family unit dwellings to own and operate electric vehicles, but is also an important step in affirming Maryland's commitment to a clean energy future.