



Maryland Department of Agriculture

Office of the Secretary

Wes Moore, Governor

Aruna Miller, Lt. Governor

Kevin M. Atticks, Secretary

Steven A. Connelly, Deputy Secretary

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Industry*

The Wayne A. Cawley, Jr. Building

50 Harry S Truman Parkway

Annapolis, Maryland 21401

mda.maryland.gov

410.841.5885 Baltimore/Washington

410.841.5846 Fax

Maryland Department of Agriculture

Legislative Comment

Date: March 8, 2024

BILL NUMBER: SB 951/HB 1028

SHORT TITLE: Business Regulation – Electric Vehicle Supply Equipment – Regulations for Retail Use

MDA POSITION: FAVORABLE WITH AMENDMENTS

The Maryland Department of Agriculture (MDA) through its Weights and Measures (W&M) unit regulates and inspects various devices in our State for consumer protection. We follow National Institute of Standards and Technology (NIST) standards for weights and measures devices. Across the U.S., State Departments of Agriculture have W&M divisions tasked with this responsibility.

MDA W&M regulates weighing and measuring devices, instruments, elements, and systems, used or employed in establishing the measurement or in computing any basic charge or payment for services rendered on the basis of weight or measure. Devices that are used in commercial transaction currently regulated by MDA W&M include retail motor fuel devices (gas pumps), bulk motor fuel devices (fuel trucks and loading racks), liquified petroleum gas meters (vehicle mounted and stationary propane meters), grain moisture meters, small, medium, large capacity scales, vehicle scales, belt conveyor scales, rail scales, and point of sale software.

NIST Handbook 44 Section 3.40. Electric Vehicle Fueling Systems sets the standards for EVFS chargers. This section sets the application, specifications, test procedures, tolerances, and user requirements for EVFS chargers. Since Maryland adopts NIST Handbook 44 by reference in statute, the standards set forth in Section 3.40. are the standards that MDA W&M will enforce.

MDA W&M will inspect and certify EVFS chargers to ensure the device is accurate and correct and will conduct investigations in response to consumer complaints. Registration of the EVFS chargers will be required to offset the costs associated with testing and inspecting these devices. This is addressed in the departmental bill.

Both MDA W&M and the Comptroller of Maryland regulate gas pumps and vehicle tank meters by working together to oversee different aspects, which establishes existing precedent for joint regulation by multiple agencies. W&M is responsible for ensuring the pumps and truck mounted meters are accurate and correct. W&M ensures equity within the marketplace between consumers and businesses and investigates consumer complaints. The Comptroller of Maryland oversees fuel quality and Motor Fuel Tax.

The bill was initially amended to note that MDA W&M would continue to have jurisdiction on the registration, specifications, tolerances, and user requirements for commercial EVFS chargers, while the PSC would regulate the electricity and the Comptroller would regulate the rates. MDA requests to be a participant in the workgroup. MDA W&M does not intend or desire to regulate electric public utility or EV infrastructure, regulate rates or pricing associated with electricity transactions. MDA thanks the Committee for your consideration of a favorable report.

If you have additional questions, please contact Rachel Jones, Director of Government Relations, at Rachel.Jones2@maryland.gov or (410) 841-5886.