

SB 0951 Breiner Written Testimony Biz Reg EVSE Reg

Uploaded by: Joyce Breiner

Position: FAV



Testimony to the Senate Education, Energy & Environment Committee
SB 0951 Business Regulation – Electric Vehicle Supply Equipment – Regulations for Retail Use
Position: Favorable

March 5, 2024

The Honorable Brian J. Feldman, Chair
2 West, Miller Senate Office Building, Annapolis, MD 21401

Honorable Chair Feldman and Members of the Senate Education, Energy, & Environment Committee:

I and my family have been an Electric Vehicle (EV) family since 2011 having experience with five EV makes/models. For over a decade I have been a part of and observing EV adoption in Maryland and across the United States. I have also spent untold hours educating groups and individuals about EVs. The vast majority of charging is done at home but in 2022 we spread our wings to do more road trips.

On the occasions I use EV public charging, I need to be able to count on it being up and running just as a fossil fueled car owner expects the pump to work. Why should Maryland's current and future EV owning citizens and those visiting our state expect anything less?

Just prior to the Covid shutdown, I attended a national gathering of EV enthusiasts where I met Kyle Conner, an earnest, positive messaging YouTuber (over 211,000 subscribers on his Out Of Spec Reviews channel) who first got my attention for his instructional videos about roadtripping in electric vehicles. Over the years, he has crisscrossed the country too many times to count in all kinds of EVs under all kind of conditions.

In December 2022, Kyle posted commentary on the state of public EV Charging expressing grave concern about reliability issues in his [video titled, "Unwrapping the Christmas Week From Hell for EV Drivers using CCS"](#) (96,000 views). The whole video is informative, especially for non-EV drivers/owners, and does a deep dive into the state of charging in the US which is much the same today *using CCS*. Key though is the wrap-up at the end which especially instructive: *"...there was not one person we met, probably 50 different people charging at public [CCS] Chargers this trip [Colorado to Florida] and there was not one person that enjoyed their experience charging that we met..."*. In another more recent video he makes the comment, *"When it comes to charging networks, there's Tesla and then there's everybody else"*, driving home the EV owner observed superior reliability of the Tesla charging network over all the others. I could not agree more with this sentiment. That system continues to improve with dynamic real-time information about the charging location and state of the chargers available to the driver before arrival. And when you get there...They WORK. Just plug & play. This network needs to be a template for all others.

Including more EV owners in the conversation, and in the process for your edification, Kyle posted an additional, very informative video about 6 months prior (August 2022) titled, ["System Meltdown! What The Heck Is Going On With DC Fast Charging In America?"](#) (142,737 views). The point of the video is partly introduced by Kyle saying the following:

(14:10) "...I mean this totally seriously, is when you roll up to a charging station from a user standpoint and you have to do anything other than just plugging in the car, right, anything other than that it's a failed session. The problem is in all of the reporting that charging infrastructure companies or charge point operators report is: do you have a successful charging session or not. And half the time you can't even get a charging session to work, and maybe less than half the time I should say I'm just using that as a figure of speech, but sometimes you can't even get a charging session to recognize you're plugged in therefore that



doesn't count as a not working session, right. So, I think the numbers are all skewed here, we need to just ignore the data that's coming at us and rely on customer experience and this is why our out-of-spec motoring channel really exists. It's to roll up to charging stations on road trips and film what happens. We know all the tricks to get the chargers to work. If we're having issues, I know others are as well and that's been my entire feed the last few weeks... we're loading up some posts that have caused us to make this video and then we start talking with experts and heavy users to see what their experience has been."

Not long ago and out of curiosity, I stopped by a recently installed EV Smart Shell Recharge branded 50kW DC Fast Charger in the Lakelands community of Gaithersburg, Maryland. While there, the new owner of a Lexus RZ 450e EV on a roadtrip from New England arrived to charge. She had difficulty downloading the Shell Recharge app and other issues. Long story short, she definitely did not have a 'plug & play' experience and she did not charge successfully.

Reliability cannot be established without user data collection and accountability cannot be required without plans to improve under established metrics. SB 0951 begins to accomplish this.

Thank you for your consideration, and I urge a favorable report on SB 0951.

Respectfully,

Joyce K. Breiner, CC-P®

SB0951_FAV_Hartmann.pdf

Uploaded by: Lanny Hartmann

Position: FAV



March 8, 2024

Favorable - SB 951 — Business Regulation – Electric Vehicle Supply Equipment – Regulations for Retail Use

Mr. Chairman,

As an avid electric vehicle (EV) driver who frequently uses public charging stations, I am writing to support SB 951, Business Regulation – Electric Vehicle Supply Equipment – Regulations for Retail Use.

Millions of public dollars have been invested in building EV charging infrastructure across Maryland to encourage residents to choose EVs. Yet, achieving this goal hinges on the reliability, affordability, and convenience of charging stations. Holding recipients of public funds accountable for both functionality and user experience is crucial.

A recent study by RateYourCharge¹ revealed a stark disparity in charger reliability. While Tesla excelled with a low 0.6% failed check-in rate, other providers displayed an alarming 13% failure rate, potentially leaving drivers stranded. Such inconsistencies are unacceptable and hinder EV adoption.

In an effort to contribute to solutions, I personally tested nearly 70 high-speed chargers in Maryland during August 2022. Disappointingly, only 71% functioned properly, with the remainder experiencing various issues like error messages, damaged connectors, and reduced power output. I reported these findings to the Maryland PSC to raise awareness of the issue.²

SB 951 will establish uniform standards for EV charging providers in Maryland. This helps ensure consistent reliability and user experience. It will also foster confidence among potential EV owners. By eliminating concerns about unpredictable functionality, this legislation will significantly accelerate the transition to cleaner transportation in our state.

Thank you for considering my testimony. I urge a favorable report on SB 951 and support this crucial step towards making electric vehicles a more viable option in Maryland.

Sincerely,

Lanny Hartmann
PlugInSites.org
Columbia, Maryland

¹ RateYourCharge - 2023 Year End Report <http://bit.ly/48AjSkc>

² PSC Case No. 9478 - Lanny Hartmann Comments. (ML 242263)

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Uploaded by: Mark Czajka

Position: FAV

Subject: SB 0951 – SUPPORT

March 7, 2024

Senator Brian J. Feldman
Education, Energy, and the Environment Committee
2 West
Miller Senate Office Building
Annapolis, Maryland 21401

Dear Senator Feldman and Members of the Committee:

My name is Mark Czajka and I'm a resident of Charles County and the Director of MD Volt Inc., a Maryland EV club. I **SUPPORT** Senate Bill 0951 (Business Regulation – Electric Vehicle Supply Equipment – Regulations for Retail Use). These are my personal views.

EV charging station reliability has been so bad nationwide that major auto manufacturers have opted to support Tesla's NACs standard. Just last week an adapter was released for Ford vehicles; Lightning and Mach E owners are rejoicing as they can now use the more reliable Tesla network of Superchargers. If we can make reliability transparent and accountable, it will go a long way to improving uptime of non-Tesla charging networks. **We want to provide a positive experience to keep people buying all makes and models of EVs.**

Codifying uptime is important. 3% downtime is 11 days per year, which seems reasonable to prevent if spare parts are maintained. Accountability could also allow utilities to evaluate the hardware/software decisions and purchases they made, and influence future expansion of their networks. For example, if hardware is constantly going down, the manufacturer or installers should be audited for performance. If downtime is related to vandalism on a reoccurring basis, then security should be considered.

If you have any questions, please feel free to contact me at mark@mdvolt.org.

Sincerely,



Mark Czajka
Waldorf, MD 20603

SB951_FAV_Hettleman.pdf

Uploaded by: Shelly Hettleman

Position: FAV

SHELLY HETTLEMAN
Legislative District 11
Baltimore County

Chair
Rules Committee

Budget and Taxation Committee

Subcommittees

Health and Human Services

Pensions



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THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

TESTIMONY OF SENATOR SHELLY HETTLEMAN
SB 951 BUSINESS REGULATION – ELECTRIC VEHICLE
SUPPLY EQUIPMENT – REGULATIONS FOR RETAIL USE

Electric vehicles (EVs) have become more popular and utilized nationally and within Maryland in recent years. Over the last decade, the number of EVs registered in the State has increased more than 150-fold and is expected to soon surpass 100,000.ⁱ Currently, there are more than 1.5 EVs per 100 Marylanders.ⁱⁱ As the industry continues to grow, there is a need for standardization and oversight for the various related infrastructure. SB 951 seeks to address this by requiring the state to develop and enforce regulations for retail use of EV charging stations.

Majority of the EVs in Maryland are battery-powered (BEV) or plug-in hybrid (PHEV) vehicles, which both rely on charging stations to provide electricity.ⁱⁱⁱ Drivers of BEVs are especially reliant on charging stations as they are the sole method of powering their vehicles. In nearly every county, the largest proportion of electric vehicles are BEVs.ⁱⁱⁱ As of January 2024, there were 1617 charging stations throughout the state, offering slightly less than 1 port per 1000 Marylanders.ⁱⁱⁱ The number of charging stations and ports has drastically grown in the State since the late 2010s.ⁱⁱ The vast majority of these ports are level 2, meant to provide 10-25 miles of range per hour of charging depending on power output.^{iv}

There are multiple types of charging stations, including those installed at homes and multi-unit housing, commercial businesses, and public places.^v SB 951 focuses on those which are for retail use, the segment where majority of EV drivers—including both residents and visitors to Maryland—source their electric power and seeks to foster confidence in the state's infrastructure.

The bill has multiple components which collectively provide guidance for governing state agencies to establish regulations and oversight the EV system:

1. Defines multiple facets of the EV charging infrastructure and components
2. Clarifies what EV infrastructure is subject to forthcoming regulation
3. Specifies requirements, authorizations, and prohibitions for charging payment and services
4. Mandates regulations for establishing, maintaining, and monitoring EV infrastructure, including performance and uptime
5. Stipulates establishment of regulations in accordance with various standards and programs

The purpose of this bill is to create standards and oversight to the emerging EV infrastructure and framework in Maryland for the betterment of consumers. As the number of EVs and charging stations grows, the State needs to ensure that consumers keep confidence in the infrastructure. Establishment and enforcement of standards is the best way to achieve and maintain such trust. I therefore ask for your support of SB 951. Thank you.

ⁱ Corridors-Charging Network, Maryland Department of Transportation (2024), <https://experience.arcgis.com/experience/d8d908d9e62f4054b14ec8f6cbb5392b/page/Fueling-Stations-%26-Corridors/?views=Charging-Network> (last visited Feb 28, 2024).

ⁱⁱ Electric vehicles - MDOT, Maryland Department of Transportation, <https://www.mdot.maryland.gov/tso/pages/Index.aspx?PageId=34> (last visited Feb 28, 2024).

ⁱⁱⁱ Dashboard & Metrics-Registration, Maryland Department of Transportation (2024), <https://experience.arcgis.com/experience/d8d908d9e62f4054b14ec8f6cbb5392b/page/Dashboard-%26-Metrics/?views=Registration> (last visited Feb 28, 2024).

^{iv} Dashboard & Metrics-Charging Stations, Maryland Department of Transportation (2024), <https://experience.arcgis.com/experience/d8d908d9e62f4054b14ec8f6cbb5392b/page/Dashboard-%26-Metrics/?views=Charging-Stations> (last visited Feb 28, 2024); Ev charging, MDEV (2023), <https://marylandev.org/charging/> (last visited Feb 28, 2024).

^v Ev charging, MDEV (2023), <https://marylandev.org/charging/> (last visited Feb 28, 2024).

SB951_Fav with amendments_PSC.pdf

Uploaded by: Frederick Hoover

Position: FWA

FREDERICK H. HOOVER, JR.
CHAIR

MICHAEL T. RICHARD
ANTHONY J. O'DONNELL
KUMAR P. BARVE
BONNIE A. SUCHMAN



PUBLIC SERVICE COMMISSION

March 7, 2024

Chair Brian Feldman
Senate Education, Energy and Environment Committee
2 West, Miller Senate Office Building
Annapolis, MD 21401

RE: SB 951 – Favorable with Amendments - Business Regulation – Electric Vehicle Supply Equipment – Regulations for Retail Use

Dear Chair Feldman and Committee Members:

SB 951 aims to create standards for all retail use electric vehicle charging stations in Maryland which in theory should improve electric vehicle (“EV”) drivers’ experience within the state. This will be in collaboration between the Comptroller Office and the Public Service Commission (“The Commission”). Last year the Commission established reliability standards for utility owned charging stations as required by HB 834 (2023) which established reliability and reporting standards for **utility** owned EV charging stations. Several of the items required to be reviewed in this legislation were discussed and reviewed within the Commission’s EV working group in the context of utility owned charging stations.

The Commission is supportive of the efforts to further improve the deployment of EV’s within Maryland. This is seen through efforts such as the 5-year utility EV pilot, the Commission’s ongoing EV work group, and the Commission’s active participation with Maryland’s Zero Emission Electric Vehicle Infrastructure Council. The Commission supports SB 951’s envisioned collaborative effort with the Comptroller’s Office in the development of regulations and required reports. To be clear, the Commission’s authority is currently limited to only utility owned equipment and SB 951 does not change this authority.

The Commission requests the following amendments to provide clarity regarding applicability of SB 951 and some flexibility regarding the applicable standards:

- (1) Under the Commission’s oversight, utility owned equipment is currently required to operate to certain standards established by the Commission as required by HB 834 (2023) under PUA 7-901 – 7-905. The Commission requests clarification if SB 951 or the Commission’s approved standards govern utility owned EV Equipment.

- (2) The Commission notes that there may be some business cases where it is not clear if EV Supply Equipment is subject to the rules of SB 951. Such use cases include:
- a. Commercial businesses that have EV Supply Equipment for their own use
 - b. Multifamily buildings with common use EV Supply Equipment
 - c. Those who provide electricity free of charge
- To help clarify if these use cases and others are subject to SB 951 additional language or definitions regarding what is “retail use of EV Supply Equipment” could be added.
- (3) SB 951 lists 19 requirements for consideration when establishing regulations but also requires the regulations to adhere to the Federal Highway Administration’s National Electric Vehicle Infrastructure Formula Program (“NEVI”) standards, which are federal regulations for EV charging equipment that receives certain federal funds. When establishing the utility standards under HB 834 (2023) there were times NEVI regulations were either not clear or may not have made sense for the rules under development. An amendment that still gives deference to NEVI standards but permits the implementing agency the ability to deviate from the standards for good cause would provide the flexibility when developing regulations.

Finally, the Commission is aware that there may be an amendment that establishes a workgroup to further study the issues within this legislation and the required resources and oversight to implement the legislation. The Commission can support a work group established to explore these issues further.

The Public Service Commission appreciates the opportunity to provide informational testimony for SB 951. We look forward to working with the sponsor on any recommended changes. Please contact Christina Ochoa, Director of Legislative Affairs a christina.ochoa1@maryland.gov if you have any questions.

Sincerely,



Frederick H. Hoover, Chair
Maryland Public Service Commission

SB 951 LOS.pdf

Uploaded by: Rachel Jones

Position: FWA



Maryland Department of Agriculture

Office of the Secretary

Wes Moore, Governor

Aruna Miller, Lt. Governor

Kevin M. Atticks, Secretary

Steven A. Connelly, Deputy Secretary

Agriculture | *Maryland's Leading
Industry*

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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.

Maryland SB 951 testimony - written 2024 Final.pdf

Uploaded by: Matthew Chen

Position: UNF



March 8, 2024

The Hon. Brian J. Feldman
Chair, Education, Energy & The Environment Committee
Senate of Maryland
Miller Senate Office Building, 2 West Wing
11 Bladen St.
Annapolis, MD 21401 - 1991

Re: Written Testimony to Oppose SB 951 (2024)

Dear Chair Feldman, Vice Chair Kagan, and Members of the Committee:

Blink Charging Company respectfully opposes Senate Bill 951 on Business Regulation – Electric Vehicle Supply Equipment – Regulations for Retail Use.

About Blink Charging

Blink is a global leader in the electric vehicle charging industry, with more than 50 employees working from our production facility and corporate offices in Bowie, Maryland. We have deployed over 1,900 chargers across Maryland and are one of three vendors for the U.S. Postal Service’s nationwide fleet electrification program. Blink’s principal line of products and services includes the Blink EV charging network, charging equipment, and charging services. Next week, Blink will open its new manufacturing facility in Bowie where the company is expanding its production of EV chargers and creating many high-quality jobs in the local community.

Senate Bill 951

Senate Bill 951 proposes to require the Comptroller to adopt regulations for the retail use of EV charging supply equipment (EVSE) in Maryland covering a very broad range of categories without fully aligning with the federal government’s minimum standards for the National Electric Vehicle Infrastructure (NEVI) program, which apply to publicly funded chargers. In addition, while the Fiscal Note for SB 951 states that the bill “does not apply to EV supply equipment that is used for noncommercial purposes”, the bill should precisely define these “noncommercial purposes” for EV charging.

Blink Charging Co. appreciates the ongoing dialogue regarding the bill with its sponsor, Senator Hettleman, and is open to engaging a stakeholder process to refine its proposals before the next legislative session. We warmly welcome this opportunity.



Policy Context

Maryland is a leader among the 50 states for its bold goals and ambitious policies to reduce emissions from the transportation sector. However, much remains to be done to ensure that the number of EV charging stations better match demand for electric vehicles themselves. The Maryland Energy Administration's January 2024 study on multifamily EV-ready requirements indicates that "[...] Maryland is already on track to meet the 2025 DCFC forecast. However, significant development of a Level 2 charging network is needed."ⁱ According to the U.S. Department of Energy's Alternative Fuels Data Center, Maryland has 1,394 public Level 2 charging station locations with 3,638 charging ports and 295 public DC fast charging station locations with 973 DC fast charging EVSE ports.ⁱⁱ

Blink Charging Co. recognizes that EV drivers expect public chargers to be widely available, affordable, and reliable. The federal government, through various policy initiatives including but not limited to the National Electric Vehicle Infrastructure (NEVI) program and Charging and Fueling Infrastructure (CFI) grants, is funding both DC fast chargers and Level 2 chargers across the country. These publicly funded chargers must meet minimum standards for uptime, payment options, "information communicated about the availability and functioning of each charging station" and more. Similarly, several other states also are implementing regulations for EV chargers. To ensure that states' regulations and standards for EV charging remain adaptable to rapidly advancing technological and engineering developments, we recommend initially applying them to publicly funded chargers.

If passed into law as introduced, SB 951 could inadvertently slow down the deployment of EV charging infrastructure across Maryland even as the state requires sales of electric vehicles to reach 43% by 2027. At this time, we respectfully request an unfavorable report from the committee.

Sincerely,

Matthew E. Chen
Director, Government Affairs
Blink Charging Co.

ⁱ Maryland Energy Administration (MEA), Multifamily Residential EV Study, January 2024, page 25
[https://dlslibrary.state.md.us/publications/Exec/MEA/HB830Ch582\(3\)\(2023\).pdf](https://dlslibrary.state.md.us/publications/Exec/MEA/HB830Ch582(3)(2023).pdf)

ⁱⁱ Alternative Fuels Data Center (AFDC), U.S. Department of Energy,
https://afdc.energy.gov/fuels/electricity_locations.html#/analyze?region=US-MD&fuel=ELEC&ev_levels=dc_fast

SB0951 - TSO - EVSE Business Regulation_LOI_FINAL.

Uploaded by: Patricia Westervelt

Position: INFO

March 8, 2024

The Honorable Brian J. Feldman
Chair, Senate Education, Energy, and the Environment Committee
2 West, Senate Office Building
Annapolis MD 21401

***RE: Letter of Information w Amendments – Senate Bill 951 – Business Regulation –
Electric Vehicle Supply Equipment – Regulations for Retail Use***

Dear Chair Feldman and Committee Members:

The Maryland Department of Transportation (MDOT) offers the following information on Senate Bill 951 for the Committee’s consideration.

Senate Bill 951 would require the Comptroller to adopt regulations for the retail use of electric vehicle supply equipment (EVSE). The bill details nineteen provisions the regulations shall address, including payment options for customers, ‘uptime’ requirements, hours of operation, training and certification requirements for individuals who install or maintain EVSE, and penalties for non-compliance. The regulations must comply with the Federal Highway Administration (FHWA) National Electric Vehicle Infrastructure (NEVI) Formula Program.

The MDOT administers the NEVI Program, which will allocate over \$60 Million for EVSE installations over the next five years. All Electric Vehicle (EV) charging installations funded with NEVI Program funds or any other source of federal funds must comply with federal standards and requirements. Senate Bill 951 could create discrepancies between State and federal regulatory requirements. Given the importance of the NEVI Program to EV infrastructure deployment in the State, State regulations should be aligned and/or consistent with all applicable federal regulations. Examples of discrepancies in Senate Bill 951 include the definition of training and certification requirements for EVSE installers, minimum power requirements, methodology for measuring ‘uptime,’ and minimum hours of operation.

The MDOT recognizes the need to establish a regulatory framework for the consumer experience with publicly available EV Charging stations. Vehicle electrification has emerged as a key imperative in the nation’s response to threats from climate change, and the need to reduce greenhouse gas (GHG) emissions. A regulatory framework is needed to ensure predictability in the consumer market and with technology developments by vehicle and equipment manufacturers. The MDOT has jurisdiction and responsibility for deployment of federal funding through the NEVI Program and other federal funds, and for ensuring compliance with federal standards and requirements affecting EVSE deployment. The MDOT thanks the bill sponsor for working on amendments to ensure MDOT’s inclusion in the bill.

The Honorable Brian J. Feldman
Page Two

The Maryland Department of Transportation respectfully requests the Committee consider this information when deliberating Senate Bill 951.

Respectfully submitted,

Pilar Helm
Director of Government Affairs
Maryland Department of Transportation
410-865-1090