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COMMITTEE: JUDICIAL PROCEEDINGS COMMITTEE

TESTIMONY ON: SB 870 - VEHICLE LAWS - ELECTRIC VEHICLES - WEIGHT LIMITS

POSITION: INFORMATIONAL ONLY

HEARING DATE: MARCH 6, 2024

Washington Gas respectfully submits this statement of *Informational Only*.

Washington Gas Light Company (“the Company”) provides safe, reliable natural gas service to more than 1.2 million customers in Maryland, Virginia, and the District of Columbia. Washington Gas has been providing energy to residential, commercial, government, and industrial customers for more than 175 years, and currently serves more than 500,000 Maryland customers in Montgomery, Prince George’s, Charles, St. Mary’s, Frederick, and Calvert Counties. The Company employs over 400 people within Maryland, including contractors, plumbers, union workers, and other skilled tradespeople. We strive to improve the quality of life in our communities by maintaining a diverse workforce, working with suppliers that represent and reflect the communities we serve, and giving back through our charitable contributions and employee volunteer activities. The Company, together with other natural gas distribution utilities, are responsible for delivering the primary source of heat to Maryland residential energy consumers, serving approximately one half of all Maryland households while providing critical energy services to residential, commercial, and industrial customers at one-third the cost of electricity on a per unit basis.¹

SB 870 seeks to increase the weight limit for heavy-duty plug-in electric trucks but arguably excludes hydrogen-powered heavy-duty trucks. We urge amending the language to treat all zero-emission transportation technologies equally rather than picking favorites. While federal law already allows for up to 2,000 pounds weight exemption for natural gas vehicles and electric vehicles on the Interstate Highway System, this bill arguably limits heavy-duty vehicles in Maryland to plug-in electric vehicles only.

¹ DOE. [Energy Conservation Program for Consumer Products: Representative Average Unit Costs of Energy](#) (Aug. 28, 2023).

Washington Gas supports activities that advance the adoption of hydrogen. We are a partner in the National Capital Hydrogen Center, led by Connected DMV, which, in 2022, developed a “Hydrogen Greenprint” outlining the opportunity for the region. Washington Gas is also exploring hydrogen pilot projects for production, transportation, and end-use applications. We continue to build expertise and gain more in-depth experience on hydrogen, and we stand by to assist the State in advancing its GHG reduction goals through hydrogen applications.

Hydrogen is a gaseous or liquid-stored zero-emission fuel that operates independently of the electric grid. Hydrogen in the transportation sector allows for a fast refueling time (10-20 minutes for heavy-duty vehicles) and long range. We especially see hydrogen as an excellent fuel to displace diesel without imposing undue operational changes or restrictions.

However, SB 870 could disqualify zero-emission hydrogen fuel cell EVs because of this phrasing:

“ANY PLUG-IN ELECTRIC VEHICLE OR OTHER VEHICLE PROPELLED TO A SIGNIFICANT EXTENT BY AN ELECTRIC MOTOR THAT DRAWS ELECTRICITY FROM A BATTERY SHALL BE ALLOWED UP TO AN ADDITIONAL 2,000 POUNDS TOTAL IN GROSS, AXLE, TANDEM, AND BRIDGE FORMULA WEIGHT LIMITS.”

Since hydrogen fuel cell electric vehicles (FCEVs) can draw electricity from the fuel cell as well as the battery, this language opens room for interpretation rather than providing clarity to potential adopters, especially since the meaning of “significant extent” is not provided, nor the metrics to determine how this applies. Rest assured, **hydrogen FCEVs should not be excluded** from this weight exemption if battery electric vehicles qualify, and the language should be crystal clear and treat both technologies equally.

Washington Gas proposed the following alternatives to clarify the language:

“~~ANY PLUG-IN ELECTRIC~~ ZERO EMISSION VEHICLE, AS DEFINED IN MD. CODE, TRANSP. § 23-206.4, ~~OR OTHER VEHICLE PROPELLED TO A SIGNIFICANT EXTENT BY AN ELECTRIC MOTOR THAT DRAWS ELECTRICITY FROM A BATTERY~~ SHALL BE ALLOWED UP TO AN ADDITIONAL 2,000 POUNDS TOTAL IN GROSS, AXLE, TANDEM, AND BRIDGE FORMULA WEIGHT LIMITS.”

This phrasing also avoids conflict within the Maryland Statute, as Md. Code, Transp. § 11-145.1 defines a Plug-in electric drive vehicle “as rated at not more than 8,500 pounds unloaded gross vehicle weight.” Instead, Md. Code, Transp. § 23-206.4 does not include any weight limitations.

Since Maryland has adopted the Advanced Clean Cars II and the Advanced Clean Truck rules, reducing barriers for early adopters of these technologies, including hydrogen, will enable the State to achieve its clean transportation mandates successfully.

This early infrastructure deployment is vital to allow off-takers, such as fleets, to consider hydrogen as one of the two available zero-emission transportation options. We encourage the State to leverage federal programs to assist in deploying early hydrogen fueling infrastructure. Washington Gas would continue offering its hydrogen expertise to build successful proposals.

Washington Gas looks forward to working with the Committee on this legislation and opportunities to explore hydrogen further.

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