

S.B. 870 Letter of Support.pdf

Uploaded by: Alma Meckler-Pacheco

Position: FAV

March 4, 2024

Chair Smith, Jr.
2 East
Miller Senate Office Building
Annapolis, MD 21401

Re: Letter of Support – S.B. 870, Vehicle Laws – Electric Vehicles – Weight Limits

Dear Chair William C. Smith, Jr., Vice Chair Jeff Waldstreicher, and members of the Senate Judicial Proceedings Committee:

[The Electrification Coalition](#) (EC) expresses strong support for S.B. 870 to increase vehicle weight limits by an additional 2,000 pounds, which would align the state highway system with the 2,000 pound weight exemption for battery electric vehicles operating on the federal interstate system that the Federal Government implemented through the Consolidated Appropriations Act of 2019. The EC urges the Judicial Proceedings Committee to vote the bill favorably out of Committee.

The EC is a national, nonpartisan, not-for-profit organization committed to promoting policies and actions that facilitate the deployment of electric vehicles on a mass scale to combat the national security, economic, and public health impacts associated with our nation's dependence on oil. Mass adoption of electric vehicles (EVs) is key to addressing the U.S.'s reliance on oil, which currently powers 90% of our nation's transportation system and affects not only our national security but our economic security as well. EVs plug into a grid that is domestic, diverse, and can insulate our businesses and consumers from the volatile nature of oil prices.

The EC is working to accelerate commercial vehicle electrification adoption across the country, including Maryland, as part of our [Electric Freight Consortium](#), a forum for collaboration between the EC and 35 private sector partners to accelerate freight electrification in the U.S. **Electric Freight Consortium members and other stakeholders in the industry routinely identify raising weight limits as a key lever to increase the adoption of electric medium- and heavy-duty vehicles.**

S.B. 870 will help accelerate the adoption of electric medium- and heavy-duty vehicles and transportation electrification across Maryland. In addition to helping insulate Maryland business owners from the national and economic security concerns of our reliance on oil, enactment of this legislation will send a signal to the industry that the state of Maryland is committed to transportation decarbonization and becoming net-zero emissions by 2045 as set forth in the Climate Solutions Now Act. **Therefore, in the interest of national and economic security, as well as the many other air quality and public health benefits of electrification, the EC writes in support of S.B. 870**

The EC looks forward to working with the Committee as this bill moves forward. For any questions, please contact Alma Meckler-Pacheco at amecklerpacheco@electrificationcoalition.org.

Sincerely,

A handwritten signature in black ink, appearing to read 'A Blair', written in a cursive style.

Anne Blair

Vice President, Policy & Freight
Electrification Coalition

SB870 - Maryland Motor Truck Association - Support

Uploaded by: Louis Campion

Position: FAV



Maryland Motor Truck Association

9256 Bendix Road, Suite 203, Columbia, MD 21045
Phone: 410-644-4600 Fax: 410-644-2537



HEARING DATE: March 6, 2024
BILL NO/TITLE: SB870 – Vehicle Laws - Electric Vehicles - Weight Limits
COMMITTEE: Senate Judicial Proceedings
POSITION: Support

Maryland Motor Truck Association offers its support for SB870, which would provide a 2,000 lbs. weight allowance for electric trucks similar to that allowed in federal law to help offset the lost carrying capacity created by the vehicle's additional weight.

Electric trucks weigh more than comparable diesel trucks due to the increased weight of their batteries. Consequently, electric trucks must reduce cargo loads to remain within legal weight limits (e.g., 80,000 lbs. for a five-axle tractor trailer). Reducing load capacity results in more trucks needed to deliver the same amount of freight. According to a December 2022 study by the American Transportation Research Institute, the lost carrying capacity for an electric five-axle tractor trailer is 13,800 lbs. This equates to one additional truck needed for every four deliveries, or roughly a 25% increase in truck traffic to carry the same amount of freight being delivered today.

In the Consolidated Appropriations Act of 2019, Congress recognized this challenge and increased the federal gross, axle, tandem, and bridge weight limits for electric (and natural gas) vehicles on the Interstate Highway System by 2,000 pounds; however, this does not apply to state roads. SB870 would address this inconsistency.

It should be noted that the passage of HB652 would not prevent the state from posting a maximum weight limit on a specific roadway or bridge based on safety and engineering designs. Trucks would still be required to operate within those posted weight limits regardless of this legislation.

For the reasons noted above, MMTA asks for a favorable report.

About Maryland Motor Truck Association: Maryland Motor Truck Association is a non-profit trade association that has represented the trucking industry since 1935. In service to its 1,000 members, MMTA is committed to support, advocate and educate for a safe, efficient and profitable trucking industry in Maryland.

For further information, contact: Louis Campion, (c) 443-623-5663

SB870.pdf

Uploaded by: Richard Tabuteau

Position: FAV

V O L V O

TO: The Honorable William C. Smith, Chair
Members, Senate Judicial Proceedings Committee
Senator Ariana B. Kelly

FROM: Richard A. Tabuteau

DATE: March 6, 2024

RE: **FAVORABLE** – Senate Bill 870 – *Vehicle Laws - Electric Vehicles - Weight Limits*

In Maryland, Volvo Group North America's Hagerstown Powertrain Production facility employs nearly 2,000 people including over 1,400 members of the UAW Locals 171 and 1247 and is the last major automotive manufacturer in the state. The plant develops, manufactures, and tests heavy-duty powertrains, transmissions and axles for its Mack and Volvo trucks as well as Prevost and Volvo buses at its 280-acre campus. Volvo Group also employs more than 60 people at one of its U.S. parts distribution facilities in Elkridge.

Volvo and Mack Trucks are the North American industry leaders in Zero-Emission (ZE) Class 8 truck sales. In 2020, the Volvo Group made a global commitment to having 100% of its product sales being fossil free by 2040, including a nearer term goal of 35% of product sales being zero-emission by 2030. The Hagerstown plant plays a key role in this transition through the manufacturing of all modular power boxes for the Volvo VNR electric and Mack LR electric Class 8 trucks. Mack Trucks also sells an electric refuse truck.

Senate Bill 870 allows plug-in electric drive vehicles and certain other electric vehicles to exceed gross, axle, tandem, and bridge weight limits by up to an additional 2,000 pounds total. The main goal of a truck is to carry freight or what in the industry we call payload. Unfortunately, battery electric trucks lose payload or freight carrying capabilities as batteries consume more of their weight allowance.

The U.S. Congress recognized that alternative fueled trucks deserve payload parity with their diesel counterparts. Initially, an allowance was provided for natural gas vehicles to be increased by 2,000 pounds to ensure this clean fuel did not lose freight carrying capabilities to its diesel counterparts. In 2019, Congress provided this payload parity to the battery electric trucks, which must carry heavy batteries to maintain range. However, the federal Congress only has the authority to provide this payload parity for interstates. Maryland must provide payload parity for intrastate roadways. Many of Maryland's neighbors, such as Pennsylvania, have already provided this payload parity to battery electric trucks operating on intrastate roadways. Intrastates are frequently located in environmental justice areas where deployments of ZEVs are high priority to

address longstanding air quality issues. This legislation will not only provide a level playing field for intrastate vehicle movement but also help address environmental justice.

Volvo Group urges the Senate Judicial Proceedings Committee to give Senate Bill 870 a favorable report.

For more information call:

Richard A. Tabuteau

347.886.2904

Nikola SB870 Written Testimony.pdf

Uploaded by: William Higgins

Position: FWA



March 5, 2024

Judicial Proceedings Committee
2 East
Miller Senate Office Building
Annapolis, Maryland 21401

Senate Bill 870, Vehicle Laws - Electric Vehicles - Weight Limits

Position: Favorable, with amendments

Chair Smith, Vice Chair Waldstreicher, and Members of the Committee:

Nikola Corporation appreciates the opportunity to provide testimony on Senate Bill 870, Vehicle Laws - Electric Vehicles - Weight. For background, Nikola Corporation is a designer and manufacturer of zero-tailpipe emission battery electric vehicles (BEV) and hydrogen fuel cell electric vehicles (FCEV), electric vehicle drivetrains, vehicle components, and hydrogen infrastructure. Nikola, as a company that specializes in Class 8 trucks, is a pioneer among original equipment manufacturers producing zero-emission vehicles as well as introducing fueling assets that are available today to help support these newer technologies. Nikola currently has two vehicles available for purchase, the Tre BEV, which has a range of up to 330 miles, and the Tre FCEV which has a range of up to 500 miles.

As we engage with fleets in Maryland and across the country, among the challenges to full market acceptance and adoption of zero-emission trucks is the overall gross vehicle weight resulting from the additional weight burden from the batteries and/or hydrogen tanks which support the propulsion of these vehicles. The weight of these critical components, which has yet to become more efficient, impacts both the weight of the zero-emissions tractor and decreases the payload capacity for customers to continue at the same level as their internal combustion engine operations.

To spur the near-term adoption of heavy-duty ZEVs, implementing a higher weight allowance for operating these vehicles will help fleets overcome a critical barrier which prevents them from confidently purchasing zero-emission trucks. Despite the readiness and availability of these vehicles today, Nikola has received overwhelming feedback as we engage in sales discussions with potential customers regarding the reduction in payload that fleets face with higher vehicle weights. Without measures such as Senate Bill 870, the current heavy-duty ZEVs on the market cannot meet diesel parity nor total cost of ownership economics.

Nikola would like to voice support for the intent of Senate Bill 870 and offer a suggestion that would make the bill inclusive of both battery electric and fuel cell electric vehicles. The bill currently reads:

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.



Battery-electric vehicles and hydrogen FCEVs both have a vital role in the transition to a zero-carbon future. Both of the zero-emission class-8 tractors that we offer today are electric vehicles that have higher curb weights than their diesel-powered counterparts. Nikola respectfully asks that SB 870 be amended to include fuel cell electric vehicles in the weight exemption language. We propose the following language which would be inclusive of both BEVs and FCEVs:

~~“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.**

We appreciate the opportunity to offer testimony on this important bill.

Thank you,

William Higgins
Senior Manager, Government Affairs
Nikola Corporation
will.higgins@nikolamotor.com

SB 870_MTBMA_UNF.pdf

Uploaded by: Michael Sakata

Position: UNF



March 5, 2024

Senator Will C. Smith, Chair
Senate Judicial Proceedings Committee
2 East, Miller Senate Office Building
Annapolis, MD 21401

RE: SB 870 – UNFAVORABLE – Vehicle Laws – Electric Vehicles – Weight Limit

Dear Chair Smith and Members of the Committee:

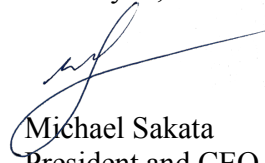
The Maryland Transportation Builders and Materials Association (“MTBMA”) has been and continues to serve as the voice for Maryland’s construction transportation industry since 1932. Our association is comprised of 200 members. MTBMA encourages, develops, and protects the prestige of Maryland's transportation construction and materials industry by establishing and maintaining respected relationships with federal, state, and local public officials. We proactively work with regulatory agencies and governing bodies to represent the interests of the transportation industry and advocate for adequate state and federal funding for Maryland’s multimodal transportation system.

Senate Bill 870 proposes amendments to Maryland’s transportation laws to accommodate electric vehicles by allowing them to exceed specific weight limits. The bill introduces formulas for calculating weight limits based on axle distances and provides additional allowances for vehicles equipped with fuel-saving technology, permitting plug-in vehicles to exceed weight limits by up to 2,000 pounds.

MTBMA opposes this legislation because it sets a precedent of giving preferential treatment to EVs over gas-production vehicles. While MTBMA recognizes the importance of promoting sustainable transportation options, this bill poses significant risks to our roads, leading to increased maintenance costs and potentially compromising road safety. Due to their heavier weight, the impact EVs have on our roads and infrastructure is irrefutable. The weight limit exceptions outlined in SB 870 will exacerbate Maryland’s roadway issues without fair contributions by EV users.

We appreciate you taking the time to consider our request for an **UNFAVORABLE** report on Senate Bill 870.

Thank you,



Michael Sakata
President and CEO
Maryland Transportation Builders and Materials Association

2024-HB0652-SB870-UNFAV-UNSAFE.pdf

Uploaded by: Nelda Fink

Position: UNF

HB0652 – SB0870 – UNFAVORABLE – UNSAFE!

Nelda Fink

MD District 32

I'm an engineer. To have the weight limits exceeded by the current 550 lbs put undue stress on the structures of bridges, and axles. Increasing it fourfold is unconscionable. The taxpayers will end up paying for the increase in structural maintenance of the roadways due to the increase in weights. And what about the poor sucker who happens to be on the bridge when its supports fail?

If your electric vehicles can't comply with the current roadway infrastructure, then perhaps they shouldn't be allowed on the road.

I pray for an unfavorable report!

Thank you.

Nelda Fink

SB 870_MAA_UNF.pdf

Uploaded by: Tim Smith

Position: UNF

CHAIRMAN:
Jeff Graf
VICE CHAIRMAN
David Slaughter

MARYLAND ASPHALT ASSOCIATION



TREASURER:
Paul Bramble
SECRETARY:
Curtis Hall
PRESIDENT:
Tim Smith

March 5, 2024

Senator Will C. Smith, Chair
Senate Judicial Proceedings Committee
2 East, Miller Senate Office Building
Annapolis, MD 21401

RE: SB 870 – UNFAVORABLE – Vehicle Laws – Electric Vehicles – Weight Limit

Dear Chair Smith and Members of the Committee:

The Maryland Asphalt Association (MAA) is comprised of 19 producer members representing more than 48 production facilities, 25 contractor members, 25 consulting engineer firms and 41 other associate members. MAA works proactively with regulatory agencies to represent the interests of the asphalt industry both in the writing and interpretation of state and federal regulations that may affect our members. We also advocate for adequate state and federal funding for Maryland's multimodal transportation system.

Senate Bill 870 proposes amendments to Maryland's transportation laws to accommodate electric vehicles (EVs) by allowing them to exceed specific weight limits. The bill introduces formulas for calculating weight limits based on axle distances and provides additional allowances for vehicles equipped with fuel-saving technology, permitting plug-in vehicles to exceed weight limits by up to 2,000 pounds.

MAA opposes this legislation because it sets a precedent of giving preferential treatment to EVs over gas-production vehicles. While MAA recognizes the importance of promoting sustainable transportation options, this bill poses significant risks to our roads, leading to increased maintenance costs and potentially compromising road safety. Due to their heavier weight, the impact EVs have on our roads and infrastructure is irrefutable. The weight limit exceptions outlined in SB 870 will exacerbate Maryland's roadway issues without fair contributions by EV users.

We appreciate you taking the time to consider our request for an **UNFAVORABLE** report on Senate Bill 870.

Sincerely,

A handwritten signature in black ink that reads "Tim Smith". The signature is written in a cursive, flowing style.

Tim Smith, P.E.
President
Maryland Asphalt Association

Washington Gas - SB 870 - Informational Only.pdf

Uploaded by: Manuel Geraldo

Position: INFO



1000 Maine Avenue, SW | Suite 700 | Washington, DC 20024 | www.washingtongas.com

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.

Contact:

Manny Geraldo, State Government Relations and Public Policy Manager
M 202.924.4511 | manuel.geraldo@washgas.com

SB0870- SHA - Vehicle Laws - Electric Vehicles - W

Uploaded by: Pilar Helm

Position: INFO

March 6, 2024

The Honorable William C. Smith Jr.
Chair, Senate Judicial Proceedings Committee
2 East, Miller Senate Office Building
Annapolis, Maryland 21401

RE: Letter of Information – Senate Bill 870 – Vehicle Laws – Electric Vehicles – Weight Limits

Dear Chair Smith and Committee Members:

The Maryland Department of Transportation (MDOT) offers the following information on Senate Bill 870 for the Committee’s consideration.

Senate Bill 870 allows any plug-in electric drive vehicle or other vehicle propelled to a significant extent by battery power to exceed gross, axle, tandem, and bridge weight limits by 2,000 pounds.

The federal government’s Fixing America’s Surface Transportation Act (FAST Act) of 2015, as amended, authorizes vehicles operated by an engine that is fueled primarily by natural gas (including liquid natural gas, liquid petroleum gas, and compressed natural gas) or powered primarily by electric batteries to exceed the interstate weight limits on the power unit by up to 2,000 pounds (up to a maximum gross vehicle weight of 82,000 pounds).¹ A vehicle may exceed the limits on the power unit for the single axle, tandem axle, and federal bridge formula maximum weights, subject to the 2,000-pound allowance cap and gross vehicle weight maximum. As such, the FAST Act allows states to create an additional allowance for alternatively fueled vehicles. Maryland has provided an allowance for alternatively fueled vehicles that is consistent with the FAST Act and that exceeds the requirements of HB 652 since January 24, 2020, as part of the State’s official enforcement policy. The State Highway Administration’s (SHA) Motor Carrier Division recently updated its Commercial Vehicle Operations web page² to inform the public and operators of alternatively fueled vehicles of this enforcement policy.

SHA notes that the landscape for alternatively fueled vehicles is rapidly changing, and it is expected that vehicle weights for alternatively fueled vehicles will decrease over time as technology improves. As such, the amount and existence of allowances authorized by the federal government over the interstate weight limits could continue to change. SHA will continue to ensure compliance with these federally established standards and take action to avoid sanctions for noncompliance.³

The Maryland Department of Transportation respectfully requests the Committee consider this information during its deliberations of Senate Bill 870.

Sincerely,

Matthew Mickler
Deputy Director (Acting), Office of Policy and Research
Maryland State Highway Administration
410-545-5629

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

¹ See 23 U.S.C. § 127(s).

² <https://www.roads.maryland.gov/mdotsha/pages/cvo.aspx?did=ahps&PageId=23>

³ See 23 U.S.C. § 127(a).