

MARYLAND REGISTER

# Emergency Action on Regulations

<b>TO BE COMPLETED BY AELR COMMITTEE</b>	<b>EMERGENCY</b> <b>Transmittal Sheet</b>	<b>TO BE COMPLETED BY DSD</b>
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**1. COMAR Codification**

**Title Subtitle Chapter Regulation**

14 26 07 .00-.03

**2. Name of Promulgating Authority**

Maryland Energy Administration

**3. Name of Regulations Coordinator**

David W Beugelmans

**Telephone Number**

410-260-2611

**Mailing Address**

60 West Street, Suite 300

**City State Zip Code**  
Annapolis MD 21401

**Email**

dbeugelmans@energy.state.md.us

**4. Name of Person to Call About this Document**

David William Beugelmans, Esq.

**Telephone No.**

4102602611



David William Beugelmans, Esq.

**Title**  
Policy Advisor

**Telephone No.**  
4102602611

**Date**  
May 6, 2014

## **Title 14**

# **INDEPENDENT AGENCIES**

### **Subtitle 26 MARYLAND ENERGY ADMINISTRATION**

#### **14.26.07 Electric Vehicle Recharging Equipment Rebate Program**

Authority: State Government Article, §9-2009, Annotated Code of Maryland

#### **Notice of Emergency Action**

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The Joint Committee on Administrative, Executive, and Legislative Review has granted emergency status to the Maryland Energy Administration to promulgate regulations for the Electric Vehicle Recharging Equipment Rebate Program as it conducts a 30 day period of notice and comment for its proposed regulations to implement legislation with an effective date of July 1, 2014. The purpose of this action is to establish the Maryland Energy Administration's process for processing applications for the Electric Vehicle Recharging Equipment Rebate, as authorized by State Government Article, §9-2009, Annotated Code of Maryland, through regulation. This action sets forth the application and review process the Maryland Energy Administration must utilize when considering an application for an EV charging equipment rebate.

**Emergency status began:**

**Emergency status expires:**

#### **Comparison to Federal Standards**

There is no corresponding federal standard to this emergency action.

#### **Estimate of Economic Impact**

The emergency action has no economic impact.

#### **Economic Impact on Small Businesses**

The emergency action has minimal or no economic impact on small businesses.

## Economic Impact Statement Part C

A. Fiscal Year in which regulations will become effective: FY 15

B. Does the budget for the fiscal year in which regulations become effective contain funds to implement the regulations?

Yes

C. If 'yes', state whether general, special (exact name), or federal funds will be used:

Special -- Statagic Energy Investment Fund

D. If 'no', identify the source(s) of funds necessary for implementation of these regulations:

E. If these regulations have no economic impact under Part A, indicate reason briefly:

These regulations have no economic impact because they do not implement a regulatory program.

F. If these regulations have minimal or no economic impact on small businesses under Part B, indicate the reason and attach small business worksheet.

These regulations have no economic impact on small businesses because they do not implement a regulatory program.

G. Response to small business worksheet:

Impact Statement Part C — Legislative Information

Part C requests agencies to provide information required by the Department of Legislative Services in its report to the AELR Committee. Answer the questions in the space provided. Part C is not printed in the Maryland Register.

Small Business Analysis Worksheet

This worksheet is designed to assist the agency in determining if and how the proposal impacts small businesses. Quantify the number of affected small businesses and estimates of costs and benefits to small businesses if possible. State Government Article 82-1505 2 includes the following definitions which are relevant to the analysis:

“Economic impact analysis” means an estimate of the cost or the economic benefit to small businesses that may be affected by a regulation proposed by an agency pursuant to Title 10, Subtitle 1 of this article.

“Small business” means a corporation, partnership, sole proprietorship, or other business entity, including its affiliates, that: (i) is independently owned and operated; (ii) is not dominant in its field; and (iii) employs 50 or fewer full-time employees.

1a. Intended Beneficiaries. Who are the intended beneficiaries of the proposed regulation?

The intended beneficiaries are primarily individuals and businesses.

1b. Intended Beneficiaries: Households. If households are the primary intended beneficiaries, will the proposal affect their income or purchasing power such that the volume or patterns of their consumer spending will change? If so, what directions of change would you anticipate? Will these expected spending changes have a disproportionate impact on small businesses? Can you descriptively identify the industries or types of business activities that are impacted?

N/A.

1c. Intended Beneficiaries: Businesses. If businesses are the intended beneficiaries, identify the businesses by industry or by types of business activities.

Corporations will be benefitted.

Are these Maryland establishments’ disproportionately small businesses?

No.

If so, how will these Maryland small businesses be affected?

N/A

Can you identify or estimate the present number of small businesses affected?

No.

Can you estimate the present total payroll or total employment of small businesses affected?

No.

2a. Other Direct or Indirect Impacts: Adverse. Businesses may not be the intended beneficiaries of the proposal. Instead, the proposal may direct or otherwise cause businesses to incur additional expenses of doing business in Maryland. Does this proposal require Maryland businesses to respond in such a fashion that they will incur additional work-time costs or monetary costs in order to comply?

No.

Describe how Maryland establishments may be adversely affected.

Individuals who own a Maryland bred horse will not be adversely affected by this

proposal. Will Maryland small businesses bear a disproportionate financial burden or suffer consequences that affect their ability to compete?

No.

Can you estimate the possible number of Maryland small businesses adversely affected? (Note that small business compliance costs in the area of regulation are the sum of out-of-pocket (cash) costs plus time costs — usually expressed as payroll, akin to calculations for legislative fiscal notes. Precise compliance costs may be difficult to estimate, but the general nature of procedures that businesses must accomplish to comply can be described.)

No.

2b. Other Direct or Indirect Impacts: Positive. Maryland businesses may positively benefit by means other than or in addition to changed consumer spending patterns. How may Maryland businesses be positively impacted by this initiative?

Individuals who own a Maryland bred horse will benefit by receiving an owner bonus if they participate in a Maryland race.

Will Maryland small businesses share proportionately or disproportionately in these gains?

Unknown.

Can you estimate the possible number of Maryland small businesses positively affected?

No.

3. Long-Term Impacts. There are instances where the longer run economic impact effects from regulations differ significantly from immediate impact. For example, regulations may impose immediate burdens on Maryland small businesses to comply, but the overall restructuring of the industry as a consequence of monitoring and compliance may provide offsetting benefits to the affected small businesses in subsequent years. Can you identify any long run economic impact effects on Maryland small businesses that over time (a) may compound or further aggravate the initial economic impact described above, or (b) may mitigate or offset the initial economic impact described above?

No.

4. Estimates of Economic Impact. State Government Article, §2-1505.2 requires that an agency include estimates, as appropriate, directly relating to: (1) cost of providing goods and services; (2) effect on the work force; (3) effect on the cost of housing; (4) efficiency in production and marketing; (5) capital investment, taxation, competition, and economic development; and (6) consumer choice.

N/A

Attached Document:

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**Title 14**  
**INDEPENDENT AGENCIES**  
**Subtitle 26 MARYLAND ENERGY ADMINISTRATION**

**14.26.07 Electric Vehicle Recharging Equipment Rebate Program**

Authority: State Government Article, §9-2009, Annotated Code of Maryland

**Notice of Emergency Action**

The Joint Committee on Administrative, Executive, and Legislative Review has granted emergency status to the Maryland Energy Administration to promulgate regulations for the Electric Vehicle Recharging Equipment Rebate Program as it conducts a 30 day period of notice and comment for its proposed regulations to implement legislation with an effective date of July 1, 2014. The purpose of this action is to establish the Maryland Energy Administration's process for processing applications for the Electric Vehicle Recharging Equipment Rebate, as authorized by State Government Article, §9-2009, Annotated Code of Maryland, through regulation. This action sets forth the application and review process the Maryland Energy Administration must utilize when considering an application for an EV charging equipment rebate.

[●]

The Maryland Energy Administration proposes to adopt Regulations **.00—.03** under **COMAR 14.26.07 Electric Vehicle Recharging Equipment Rebate Program**.

**Comparison to Federal Standards**

There is no corresponding federal standard to this proposed action.

**Estimate of Economic Impact**

The proposed action has no economic impact.

**Economic Impact on Small Businesses**

The proposed action has minimal or no economic impact on small businesses.

**Impact on Individuals with Disabilities**

The proposed action has no impact on individuals with disabilities.

**.00**

*Authority: State Government Article, §9-2009, Annotated Code of Maryland*

**.01 Definitions.**

*A. In this chapter, the following terms have the meanings indicated.*

*B. Terms Defined.*

(1) "Administration" means the Maryland Energy Administration.

(2) "Applicant" means a person or entity that has applied for an electric vehicle recharging equipment rebate under Regulation .03 of this chapter.

(3) "Electric vehicle recharging equipment rebate" or "Rebate" means a rebate issued by the Administration under this chapter for the cost of qualified electric vehicle recharging equipment.

(4) "Qualified electric vehicle recharging equipment" means property in the State that is used for recharging motor vehicles propelled by electricity.

(5) "Retail service station dealer" means a person who operates a retail place of business where motor fuel is sold and delivered into the fuel supply tanks of motor vehicles.

### **.02 Rebates Authorized.**

A. For fiscal years 2015 through 2017 the Administration may issue electric vehicle recharging equipment rebates for up to the following amounts:

(1) A rebate to an individual shall not exceed the lesser of:

(a) 50% of the costs of acquiring and installing qualified electric vehicle recharging equipment; or

(b) \$900;

(2) Except as provided in subsection (3) of this section, a rebate to a business entity or unit of State or local government shall not exceed the lesser of:

(a) 50% of the costs of acquiring and installing qualified electric vehicle recharging equipment; or

(b) \$5,000; and

(3) A rebate to a retail service station dealer shall not exceed the lesser of:

(a) 50% of the costs of acquiring and installing qualified electric vehicle recharging equipment; or

(b) \$7,500.

B. An electric vehicle recharging equipment rebate issued to an individual shall be limited to the eligible costs of one electric vehicle recharging system.

C. The Administration may include reasonable installation costs when calculating the amount of an electric vehicle recharging equipment rebate.

D. The Administration shall only issue an electric vehicle recharging equipment rebate for qualified electric vehicle recharging equipment that is installed in the State of Maryland.

E. For each fiscal year, the total amount of rebates issued by the Administration may not exceed \$600,000.

### **.03 Application Process.**

A. The Administration shall publish an application form on its website for an electric vehicle recharging equipment rebate that shall be used by an applicant.

B. The Administration may publish a separate application form for residential, commercial, government, and retail service station dealer applicants.

C. A complete application shall contain:

(1) The name, phone number, and email address of the applicant;

(2) Any address where the qualified electric vehicle recharging equipment is installed;

(3) The applicant's mailing address;

(4) The county, congressional district, and legislative district for each address under subsection (2) and subsection (3) of this section;

(5) The manufacturer, model, charging level, and cost of the qualified electric vehicle recharging equipment;

(6) A copy of each permit or approval required by a county or local government for installation;

(7) A copy of a detailed invoice, receipt, or equivalent proof of payment for:

(a) The qualified electric vehicle recharging equipment purchase; and

(b) The installation expenses; and

(8) A signed attestation by the applicant that:

(a) The signatory has authority to complete the application;

(b) The application is in compliance with this Regulation; and

(c) The applicant received each applicable permit and approval for installation required by a county or local government.

D. Within 30 days after the receipt of an application, the Administration may issue an electric vehicle recharging equipment rebate to the applicant if the Administration determines:

(a) The application is complete under § C of this regulation; and

(b) The applicant has met the requirements set forth in Regulation .02 of this chapter.

E. The Administration shall disallow the inclusion in a rebate of installation costs that it considers unreasonable.

F. If the Administration determines an application is not complete, it shall notify the applicant in writing of the deficiency.

ABIGAIL ROSS HOPPER  
Director  
Maryland Energy Administration