

MARYLAND REGISTER

Proposed Action on Regulations

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| Transmittal Sheet PROPOSED OR REPROPOSED Actions on Regulations | Date Filed with AELR Committee | TO BE COMPLETED BY DSD |
| | 05/06/2014 | Date Filed with Division of State Documents |
| | | Document Number |
| | | Date of Publication in MD Register |

1. Desired date of publication in Maryland Register: 5/16/2014

2. COMAR Codification

Title Subtitle Chapter Regulation

14 26 07 .00-.03

3. Name of Promulgating Authority

Maryland Energy Administration

4. Name of Regulations Coordinator Telephone Number
David W Beugelmans 410-260-2611

Mailing Address

60 West Street, Suite 300

City State Zip Code
Annapolis MD 21401

Email
dbeugelmans@energy.state.md.us

5. Name of Person to Call About this Document Telephone No.
David Beugelmans, Esq. 4102602611

Email Address
david.beugelmans@maryland.gov

6. Check applicable items:
X- New Regulations

- Amendments to Existing Regulations
 - Date when existing text was downloaded from COMAR online: .
 - Repeal of Existing Regulations
 - Recodification
 - Incorporation by Reference of Documents Requiring DSD Approval
 - Reproposal of Substantively Different Text:
 - : Md. R
 - (vol.) (issue) (page nos) (date)
- Under Maryland Register docket no.: --P.

7. Is there emergency text which is identical to this proposal:

Yes No

If yes, corresponding proposed text published in:

same issue

- future issue
- previous issue; it appeared in

: Md. R
(vol.) (issue) (page no's) (date)

Under Maryland Register docket no.: --E.

8. Incorporation by Reference

Check if applicable: Incorporation by Reference (IBR) approval form(s) attached and 18 copies of documents proposed for incorporation submitted to DSD. (Submit 18 paper copies of IBR document to DSD and one copy to AELR.)

9. Public Body - Open Meeting

OPTIONAL - If promulgating authority is a public body, check to include a sentence in the Notice of Proposed Action that proposed action was considered at an open meeting held pursuant to State Government Article, §10-506(c), Annotated Code of Maryland.

OPTIONAL - If promulgating authority is a public body, check to include a paragraph that final action will be considered at an open meeting.

10. Children's Environmental Health and Protection

Check if the system should send a copy of the proposal to the Children's Environmental Health and Protection Advisory Council.

11. Certificate of Authorized Officer

I certify that the attached document is in compliance with the Administrative Procedure Act. I also certify that the attached text has been approved for legality by Brent Bolea, Assistant Attorney General, (telephone #4102607538) on May 5, 2014. A written copy of the approval is on file at this agency.

Name of Authorized Officer

David William Beugelmans, Esq.

Title
Policy Advisor
Date
May 6, 2014

Telephone No.
4102602611

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 Proposed Action

□

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

Statement of Purpose

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.

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.

Opportunity for Public Comment

Comments may be sent to Fredick H. Hoover, Director, Energy Programs, Maryland Energy Administration, 60 West Street, Suite 300, Annapolis, MD 21401, or call 410-260-7655, or email to fred.hoover@maryland.gov, or fax to . Comments will be accepted through June 16, 2014. A public hearing has not been scheduled.

Economic Impact Statement Part C

A. Fiscal Year in which regulations will become effective: FY 14

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 -- Strategic 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 do not have an 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 do not have an impact on small businesses because they do not implement a regulatory program.

G. 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, §2-1505.2, 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 of the proposed regulations are individuals who own a Maryland bred horse.

Are these intended beneficiaries primarily households or businesses?

The intended beneficiaries are primarily households 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.

Individuals who own a Maryland bred horse.

How will businesses be impacted?

unknown

Are these Maryland establishments' disproportionately small businesses?

Yes.

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?

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:

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 Proposed Action

[●]

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.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 shall 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