

Chapter 631

(Senate Bill 997)

AN ACT concerning

Public Utilities – Electric Vehicle Users and Charging Stations – Exclusions

FOR the purpose of altering certain definitions of “electricity supplier” and “public service company” to exclude, for purposes of certain provisions of law, a person that owns or operates equipment used for charging electric vehicles; altering a certain definition of “retail electric customer” to include certain persons and to exclude, for purposes of certain provisions of law, a person that charges an electric vehicle at an electric vehicle charging station, with a certain exception; and generally relating to exclusions from certain provisions of law for electric vehicle users and charging stations.

BY repealing and reenacting, without amendments,

Article – Public Utilities

Section 1–101(a)

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Utilities

Section 1–101(j), (x), and (cc)

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Public Utilities

1–101.

(a) In this division the following words have the meanings indicated.

(j) (1) “Electricity supplier” means a person:

(i) who sells:

1. electricity;

2. electricity supply services;

3. competitive billing services; or

4. competitive metering services; or

(ii) who purchases, brokers, arranges, or markets electricity or electricity supply services for sale to a retail electric customer.

(2) “Electricity supplier” includes an electric company, an aggregator, a broker, and a marketer of electricity.

(3) “Electricity supplier” does not include:

(i) the following persons who supply electricity and electricity supply services solely to occupants of a building for use by the occupants:

1. an owner/operator who holds ownership in and manages the internal distribution system serving the building; or

2. a lessee/operator who holds a leasehold interest in and manages the internal distribution system serving the building; [or]

(ii) a person who generates on-site generated electricity; **OR**

(III) A PERSON THAT OWNS OR OPERATES EQUIPMENT USED FOR CHARGING ELECTRIC VEHICLES, INCLUDING A PERSON THAT OWNS OR OPERATES:

1. AN ELECTRIC VEHICLE CHARGING STATION;

2. ELECTRIC VEHICLE SUPPLY EQUIPMENT; OR

3. AN ELECTRIC VEHICLE CHARGING STATION SERVICE COMPANY OR PROVIDER.

(x) (1) “Public service company” means a common carrier company, electric company, gas company, sewage disposal company, telegraph company, telephone company, water company, or any combination of public service companies.

(2) “Public service company” does not include:

(I) a campground that provides water, electric, gas, sewage, or telephone service to campers incident to the campground’s primary business of operating and maintaining the campground; **OR**

(II) A PERSON THAT OWNS OR OPERATES EQUIPMENT USED FOR CHARGING ELECTRIC VEHICLES, INCLUDING A PERSON THAT OWNS OR OPERATES:

- 1. AN ELECTRIC VEHICLE CHARGING STATION;**
- 2. ELECTRIC VEHICLE SUPPLY EQUIPMENT; OR**
- 3. AN ELECTRIC VEHICLE CHARGING STATION SERVICE COMPANY OR PROVIDER.**

(cc) (1) “Retail electric customer” means a purchaser of electricity for end use in the State.

(2) **“RETAIL ELECTRIC CUSTOMER” INCLUDES:**

(I) A PERSON THAT OWNS OR OPERATES EQUIPMENT USED FOR CHARGING ELECTRIC VEHICLES, INCLUDING:

- 1. AN ELECTRIC VEHICLE CHARGING STATION;**
- 2. ELECTRIC VEHICLE SUPPLY EQUIPMENT; OR**
- 3. AN ELECTRIC VEHICLE CHARGING STATION SERVICE COMPANY OR PROVIDER; AND**

(II) A PERSON THAT CHARGES AN ELECTRIC VEHICLE AT AN ELECTRIC VEHICLE CHARGING STATION THAT THE PERSON OWNS OR OPERATES.

(3) “Retail electric customer” ~~excludes~~ DOES NOT INCLUDE:

(i) an occupant of a building in which the owner/operator or lessee/operator manages the internal distribution system serving the building and supplies electricity and electricity supply services solely to occupants of the building for use by the occupants; [and]

(ii) a person who generates on-site generated electricity, to the extent the on-site generated electricity is consumed by that person or its tenants; ~~AND~~
OR

(III) EXCEPT AS PROVIDED IN PARAGRAPH (2)(II) OF THIS SUBSECTION, A PERSON THAT CHARGES AN ELECTRIC VEHICLE AT AN ELECTRIC VEHICLE CHARGING STATION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2012.

Approved by the Governor, May 22, 2012.