

Department of Legislative Services
Maryland General Assembly
2012 Session

FISCAL AND POLICY NOTE

Senate Bill 998
Finance

(Senator Garagiola)

Environmental Matters

Motor Vehicle Administration - Plug-In Vehicles - Disclosure of Personal Information

This bill requires a custodian of personal records at the Motor Vehicle Administration (MVA) to release specified personal information for use by an electric company, but only (1) information describing a plug-in vehicle, and identifying the address of the registered owner of the vehicle; (2) for use in planning for the availability and reliability of the electric power supply; and (3) if the information is not published or further disclosed, including to an affiliate, or used for marketing or solicitation purposes.

Fiscal Summary

State Effect: None. MVA can implement the bill with existing budgeted resources.

Local Effect: Minimal or none.

Small Business Effect: Minimal or none.

Analysis

Current Law: A “plug-in vehicle” is an unmodified vehicle of no more than 8,500 pounds, manufactured primarily for use on public roads and highways, with a maximum speed capability of at least 65 miles per hour and a rechargeable battery with a capacity of at least 2.5 kilowatt hours for a vehicle with two or three wheels, and at least 4 kilowatt hours for a vehicle with four wheels. The battery must be capable of being recharged from an external source of electricity.

Generally, the State and local governments may only keep information about a person that is needed to accomplish a purpose relevant to an authorized or required legislative mandate, executive order, or judicial rule. A custodian of personal records at MVA may only disclose personal information to a federal, State, or local government unit for specified purposes. A custodian may also disclose personal information for use in connection with matters of motor vehicle or driver safety, motor vehicle theft, motor vehicle emissions, and other specified issues. Personal information may also be disclosed to certain business entities, but only for specified purposes, including, among other things:

- to verify the accuracy of personal information submitted to the entity;
- for use in providing notice to the owner of a towed or impounded motor vehicle; and
- for use by an employer or insurer to obtain or verify information relating to a holder of a commercial driver's license.

In addition, an MVA custodian may not disclose personal information for use in telephone solicitations but may disclose personal information for those conducting surveys, marketing, or solicitations, or for other general requests for information, if written consent is given by the person in interest.

Background: Plug-in vehicles, which include hybrid-electric vehicles (*e.g.*, the Chevrolet Volt) and vehicles without gasoline-powered motors (*e.g.*, the Nissan Leaf), have experienced a recent resurgence in popularity. Many of the largest automakers in the world are now in various stages of development or production of at least one plug-in vehicle model line.

However, instituting a transition to vehicles that require stored electricity for power may affect the continued availability and reliability of the State power supply due to the load requirements to charge the vehicles. To begin addressing this and other concerns, Chapters 400 and 401 of 2011 established the Maryland Electric Vehicle Infrastructure Council, which is charged with developing an action plan for facilitating the integration of electric vehicles and making recommendations on a number of policy issues with regard to the development of electric vehicle infrastructure and the promotion of electric vehicles. The council's January 2012 interim report to the Governor and the General Assembly made a number of recommendations, including proposed legislation for the disclosure of specified information related to plug-in vehicles by MVA to electric companies.

Electric vehicle infrastructure development in Maryland has also been supported by the recent enactment of several other laws. In addition to legislation enacted in 2010 related

to electric vehicles, Chapter 402 of 2011 created a State income tax credit of 20% of the cost of qualifying electric vehicle recharging equipment, while Chapters 403 and 404 of 2011 require the Public Service Commission to establish a pilot program by June 30, 2013, for electric company customers to recharge electric vehicles during off-peak hours. In enacting these laws, Maryland joins 27 other states that, as of May 2011, have enacted some form of electric vehicle incentive, according to the National Conference of State Legislatures.

Additional Information

Prior Introductions: None.

Cross File: HB 1279 (Delegates Malone and McHale) - Environmental Matters.

Information Source(s): Maryland Department of Transportation, Public Service Commission, National Conference of State Legislatures, Department of Legislative Services

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