SENATE BILL 627

By: Senator Waldstreicher
Introduced and read first time: February 3, 2022
Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

AN ACT concerning

State Building Code – Electric Vehicles

FOR the purpose of repealing provisions regarding requirements of builders of certain residential dwelling units to offer buyers certain options for the installation of electric vehicle charging stations; requiring the Department of Labor to adopt by regulation a State building code that requires the installation of certain percentages of EV–capable, EV–ready, and EVCS–installed parking spaces for certain newly constructed buildings and buildings undergoing certain renovations; and generally relating to the adoption of a State building code relating to the installation of electric vehicle chargers and associated electrical facilities.

BY repealing
Article – Public Safety
Section 12–205
Annotated Code of Maryland
(2018 Replacement Volume and 2021 Supplement)

BY adding to
Article – Public Safety
Section 12–205
Annotated Code of Maryland
(2018 Replacement Volume and 2021 Supplement)

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

Article – Public Safety

[12–205.]
(a) (1) In this section the following words have the meanings indicated.

(2) “Electric vehicle” means a vehicle that uses electricity for propulsion.

(3) “Electric vehicle charging station” means a connected point in an electrical wiring installation at which current is taken to charge a battery or any other energy storage device in an electric vehicle.

(4) “Level 2 charging” means that the charging capability of the electric vehicle charging station:

(i) includes the ability to charge a battery or any other energy storage device in an electric vehicle through means of an alternating current electrical service with a minimum of 208 volts; and

(ii) meets applicable industry safety standards.

(5) “Vehicle” has the meaning stated in § 11–176 of the Transportation Article.

(b) This section applies only to the construction of new housing units, including:

(1) single-family detached homes; and

(2) town houses.

(c) If the construction of one or more new housing units will include at least one garage, carport, or driveway for each housing unit, the builder or the builder’s agent shall provide each buyer or prospective buyer with the option to include in or on the garage, carport, or driveway:

(1) an electric vehicle charging station capable of providing at least Level 2 charging; or

(2) a dedicated electric line of sufficient voltage to support the later addition of an electric vehicle charging station capable of providing at least Level 2 charging.

(d) The builder or builder’s agent shall give to each buyer or prospective buyer:

(1) notice of the options listed in subsection (c) of this section; and

(2) specific information about any available rebate programs related to the purchase or installation of electric vehicle charging stations.]

12–205.
(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) "DEPARTMENT" MEANS THE DEPARTMENT OF LABOR.

(3) "DIRECT CURRENT FAST CHARGER" OR "DCFC" MEANS A DIRECT CURRENT CHARGER THAT CAN PROVIDE A MINIMUM OF 50 KW OF POWER TO AN ELECTRIC VEHICLE.

(4) "ELECTRIC VEHICLE CHARGING STATION" MEANS A DEVICE OR FACILITY FOR DELIVERING ELECTRICITY FOR MOTOR VEHICLES THAT USE ELECTRICITY FOR PROPULSION.

(5) "EV–CAPABLE PARKING SPACE" MEANS A DEDICATED PARKING SPACE PROVIDED WITH ELECTRICAL PANEL CAPACITY AND INSTALLED CONDUIT THAT HAS THE ABILITY TO SUPPORT FUTURE IMPLEMENTATION OF EV CHARGING WITH A MINIMUM 40 AMPERE, 208/240 VOLT CIRCUIT.

(6) "EV–READY PARKING SPACE" MEANS A DEDICATED PARKING SPACE THAT HAS A FULL CIRCUIT INSTALLATION OF A MINIMUM 40 AMPERE, 208/240 VOLT CIRCUIT PANEL CAPACITY, RACEWAY WIRING, RECEPTACLE AND CIRCUIT OVERPROTECTION DEVICES.

(7) "EVCS–INSTALLED PARKING SPACE" MEANS A DEDICATED PARKING SPACE WITH AN ELECTRIC VEHICLE CHARGING STATION WITH AT LEAST LEVEL 2 CHARGING CAPABILITY THAT IS FULLY INSTALLED FROM THE ELECTRICAL PANEL TO THE PARKING SPACE.

(8) "LEVEL 2 CHARGING" MEANS THAT THE CHARGING CAPABILITY OF THE ELECTRIC VEHICLE CHARGING STATION:

   (I) INCLUDES THE ABILITY TO CHARGE A BATTERY OR ANY OTHER ENERGY STORAGE DEVICE IN AN ELECTRIC VEHICLE THROUGH MEANS OF AN ALTERNATING CURRENT ELECTRICAL SERVICE WITH A MINIMUM OF 208 VOLTS; AND

   (II) MEETS APPLICABLE INDUSTRY SAFETY STANDARDS.

(9) "VEHICLE" HAS THE MEANING STATED IN § 11–176 OF THE TRANSPORTATION ARTICLE.

(B) (1) ON OR BEFORE JULY 1, 2023, THE DEPARTMENT SHALL ADOPT BY REGULATION A STATE BUILDING CODE TO REQUIRE NEWLY CONSTRUCTED BUILDINGS AND BUILDINGS UNDERGOING SIGNIFICANT RENovation THAT
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INCLUDES ELECTRIC PANEL OR PARKING UPGRADES TO INCLUDE PROVISIONS FOR ELECTRICAL SERVICE CAPACITY FOR CHARGING ELECTRIC VEHICLES.

(2) THE CODE:

(I) SHALL APPLY ONLY TO:

1. PRIVATELY OWNED COMMERCIAL BUILDINGS;

2. MULTIFAMILY RESIDENTIAL BUILDINGS;

3. MIXED–USE BUILDINGS CONSISTING OF PRIVATELY OWNED COMMERCIAL SPACE AND FIVE OR MORE RESIDENTIAL DWELLING UNITS;

AND

4. SINGLE–FAMILY RESIDENTIAL UNITS AND TOWNHOUSES;

(II) SHALL REQUIRE THAT EACH BUILDING INCLUDE AT LEAST A MINIMUM PERCENTAGE OF EV–CAPABLE, EV–READY, AND EVCS–INSTALLED PARKING SPACES IN THE GARAGE OR PARKING AREA OF THAT BUILDING;

(III) SHALL PROVIDE THAT A PARKING SPACE DESIGNATED AS:

1. EV–CAPABLE MAY BE REPLACED BY EITHER AN EV–READY OR EVCS–INSTALLED PARKING SPACE; AND

2. EV–READY MAY BE REPLACED BY AN EVCS–INSTALLED PARKING SPACE; AND

(IV) MAY PROVIDE THAT, FOR COMMERCIAL BUILDINGS, PARKING SPACES SERVED BY DIRECT CURRENT FAST CHARGERS MAY COUNT TOWARD THE COMPLIANCE WITH THE MINIMUM PERCENTAGE REQUIREMENTS FOR EV–READY OR EVCS–INSTALLED PARKING SPACES AT A RATIO OF 1 TO 5, WITH ONE DCFC PARKING SPACE COUNTED AS THE EQUIVALENT TO FIVE EV–READY OR EVCS–INSTALLED PARKING SPACES.

(C) THE MINIMUM PERCENTAGE REQUIREMENTS FOR EV–CAPABLE, EV–READY, AND EVCS–INSTALLED PARKING SPACES SHALL BE AS FOLLOWS:

(1) FOR A PRIVATELY OWNED COMMERCIAL BUILDING, OF THE TOTAL NUMBER OF PARKING SPACES DEDICATED TO THAT BUILDING:
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(1) 10% SHALL BE EVCS–INSTALLED PARKING SPACES; AND

(II) 15% SHALL BE EV–READY PARKING SPACES;

(2) FOR A MULTIFAMILY RESIDENTIAL BUILDING, OF THE TOTAL NUMBER OF PARKING SPACES DEDICATED TO THAT BUILDING:

(I) 20% SHALL BE EVCS–INSTALLED PARKING SPACES;

(II) 50% SHALL BE EV–READY PARKING SPACES; AND

(III) 30% SHALL BE EV–CAPABLE PARKING SPACES;

(3) FOR A MIXED–USE BUILDING CONSISTING OF PRIVATELY OWNED COMMERCIAL SPACE AND FIVE OR MORE RESIDENTIAL DWELLING UNITS, OF THE TOTAL NUMBER OF PARKING SPACES DEDICATED TO THAT BUILDING:

(I) FOR COMMERCIAL PARKING SPACES, THE REQUIRED PERCENTAGES IN ITEM (1) OF THIS SUBSECTION SHALL APPLY; AND

(II) FOR RESIDENTIAL PARKING SPACES, THE REQUIRED PERCENTAGES IN ITEM (2) OF THIS SUBSECTION SHALL APPLY; AND

(4) 100% OF THE PARKING SPACES DEDICATED TO A TOWNHOUSE OR SINGLE–FAMILY RESIDENTIAL UNIT SHALL BE EV–READY PARKING SPACES, UNLESS A SINGLE RESIDENTIAL UNIT IS ASSIGNED TWO ADJOINING PARKING SPACES, IN WHICH CASE BOTH SPACES MAY BE SERVED BY A SINGLE EV–READY CONNECTION.

(D) A SINGLE MINIMUM 40 AMPERE, 208/240 VOLT CIRCUIT MAY BE USED TO SUPPORT CHARGING IN TWO ADJACENT EV–CAPABLE OR EV–READY PARKING SPACES.

(E) THIS SECTION MAY NOT BE CONSTRUED TO PROHIBIT A COUNTY OR MUNICIPAL CORPORATION FROM ADOPTING AND ENFORCING REQUIREMENTS AND REGULATIONS THAT ARE MORE STRINGENT THAN THOSE SET FORTH IN THIS SECTION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply only prospectively and may not be applied or interpreted to have any effect on or application to any building construction or renovation for which the building permit is issued before July 1, 2023.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July
1 1, 2022.