

Department of Legislative Services
Maryland General Assembly
2022 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 627 (Senator Waldstreicher)
Education, Health, and Environmental Affairs

State Building Code - Electric Vehicles

This bill requires the Maryland Department of Labor (MDL), by July 1, 2023, to adopt by regulation a State building code regarding electrical service capacity for charging electric vehicles that must be included in newly constructed and specified renovated buildings. The bill specifies the minimum number of parking spaces to be equipped for electric vehicle charging. The bill also repeals provisions of the Public Safety Article that require builders (or their agents) to offer the homebuyers of specified new housing units the option to include electric vehicle charging stations as part of the construction. The bill's provisions 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 the bill. The bill applies only prospectively to any building construction or renovation for which a building permit is issued on or after July 1, 2023. **The bill takes effect July 1, 2022.**

Fiscal Summary

State Effect: MDL can adopt the specified building code with existing resources. Revenues are not affected.

Local Effect: The bill is not anticipated to materially affect local government operations or finances.

Small Business Effect: Potential minimal.

Analysis

Bill Summary:

Definitions

“Direct current fast charger” or “DCFC” means a direct current charger that can provide a minimum of 50 kilowatts of power to an electric vehicle. “Electric vehicle charging station” means a device or facility for delivering electricity for motor vehicles that use electricity for propulsion.

“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. “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. “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.

“Level 2 charging” means that the charging capacity of the electric vehicle charging station (1) 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 (2) meets applicable industry safety standards.

Building Codes

By July 1, 2023, MDL must adopt by regulation a State building code to require newly constructed buildings and buildings undergoing significant renovation that includes electric panel or parking upgrades to include provisions for electrical service capacity for charging electric vehicles.

The code (1) must apply only to privately owned commercial buildings, multifamily residential buildings, specified mixed-use buildings, and single-family residential units and townhouses; (2) must 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; (3) must allow that a parking space designated as EV-capable may be replaced by either an EV-ready or EVCS-installed parking space and that a parking space designated as EV-ready may be replaced by an EVCS-installed parking space; and (4) may allow 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.

Minimum Recharging Station Requirements for Parking Spaces

The bill establishes minimum percentage requirements for EV-capable, EV-ready, and EVCS-installed parking spaces for privately owned commercial buildings, multifamily residential buildings, mixed-use buildings, townhouses, and single-family houses.

For a privately owned commercial building, of the total number of parking spaces dedicated to that building, 10% must be EVCS-installed parking spaces, and 15% must be EV-ready parking spaces. For a multifamily residential building, of the total number of parking spaces dedicated to that building, 20% must be EVCS-installed parking spaces, 50% must be EV-ready parking spaces, and 30% must be EV-capable parking spaces.

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 (1) for commercial parking spaces, the required percentages for privately owned commercial buildings must apply and (2) for residential parking spaces, the required percentages for multifamily residential buildings must apply.

All of the parking spaces dedicated to a townhouse or single-family residential unit must 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.

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.

Current Law:

Electric Vehicle Charging Stations

Chapter 629 of 2021 established requirements for builders or builder's agents regarding the inclusion of electric vehicle charging stations for newly constructed homes, including single-family detached homes and townhouses. If the construction of one or more new housing units includes at least one garage, carport, or driveway for each housing unit, the builder or the builder's agent must 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. The builder or the builder's agent must give to each buyer or prospective buyer notice of these options in addition to specific information about

any available rebate programs related to the purchase or installation of electric vehicle charging stations.

Electric Vehicle Recharging Equipment Rebate Program

The Electric Vehicle Recharging Equipment Rebate Program, administered by the Maryland Energy Administration (MEA), provides rebates to individuals, businesses, and State and local governments. The rebate is equal to 40% of the cost of property that is located in the State and used for recharging vehicles propelled by electricity, subject to specified maximum values. MEA may also reimburse a person for the reasonable costs of installing the qualifying equipment. Funding for these rebates is provided by a transfer from the Strategic Energy Investment Fund. The Governor’s proposed fiscal 2023 budget includes \$1.8 million in funding for the rebate program.

Maryland Building Performance Standards and Electrical Codes – Generally

MDL currently incorporates by reference the International Building Code (2018 Edition), including the International Energy Conservation Code (2018 Edition), with modifications, as Maryland Building Performance Standards. In general, the standards apply to all buildings and structures within the State for which a building permit application is received by a local government. In addition, State law requires each electrical installation in the State to conform to either the National Electrical Code or the electrical code and amendments adopted by the county in which the electrical installation is done.

Additional Information

Prior Introductions: None.

Designated Cross File: None.

Information Source(s): Harford County; University System of Maryland; Department of General Services; Department of Natural Resources; Maryland Department of Labor; Maryland Association of Counties; Department of Legislative Services

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