

HOUSE BILL 834

C5, M5, R2

3lr1038

By: **Delegates Fraser–Hidalgo, Terrasa, Barve, and Reznik**

Introduced and read first time: February 9, 2023

Assigned to: Economic Matters and Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Electric Vehicle Charging Infrastructure – Requirements**
3 **(Electric Vehicle Charging Reliability Act)**

4 FOR the purpose of requiring the Public Service Commission to expand the EV Pilot
5 Program to allow participating electric companies to install EV charging stations in
6 multifamily dwellings in underserved communities; requiring an electric company
7 operating an EV charging network to ensure the EV charging stations in the EV
8 charging network have a certain minimum annual uptime; requiring an electric
9 company operating an EV charging network to be subject to certain reporting
10 requirements; requiring the Commission to require an electric company
11 participating in the EV Pilot Program to maintain an adequate number of staff to
12 monitor, assess, and repair certain EV charging stations; and generally relating to
13 electric vehicle charging infrastructure.

14 BY adding to

15 Article – Public Utilities

16 Section 7–901 through 7–905 to be under the new subtitle “Subtitle 9. Electric
17 Vehicle Charging Infrastructure”

18 Annotated Code of Maryland

19 (2020 Replacement Volume and 2022 Supplement)

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

22 **Article – Public Utilities**

23 **SUBTITLE 9. ELECTRIC VEHICLE CHARGING INFRASTRUCTURE.**

24 **7–901.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
2 INDICATED.

3 (B) "DIRECT CURRENT FAST CHARGING" MEANS A DIRECT CURRENT
4 CHARGER THAT CAN PROVIDE A MINIMUM OF 50 KILOWATTS OF POWER TO AN
5 ELECTRIC VEHICLE.

6 (C) "EV CHARGING NETWORK" MEANS THE TOTAL NUMBER OF EV
7 CHARGING STATIONS AN ELECTRIC COMPANY INSTALLS OR MAINTAINS FOR PUBLIC
8 USE.

9 (D) "EV CHARGING STATION" MEANS A CONNECTED POINT IN AN
10 ELECTRICAL WIRING INSTALLATION:

11 (1) AT WHICH CURRENT IS TAKEN TO CHARGE A BATTERY OR ANY
12 OTHER ENERGY STORAGE DEVICE IN AN ELECTRIC VEHICLE; AND

13 (2) CAPABLE OF PROVIDING LEVEL 2 CHARGING OR DIRECT
14 CURRENT FAST CHARGING.

15 (E) "EV PILOT PROGRAM" MEANS THE EV PILOT PROGRAM ESTABLISHED
16 BY PUBLIC SERVICE COMMISSION ORDER NO. 88997 AND ADMINISTERED BY THE
17 COMMISSION.

18 (F) "LEVEL 2 CHARGING" MEANS THE ABILITY TO CHARGE A BATTERY OR
19 OTHER ENERGY STORAGE DEVICE IN AN ELECTRIC VEHICLE IN A MANNER THAT:

20 (1) IS CAPABLE OF USING AN ALTERNATING CURRENT ELECTRICAL
21 SERVICE WITH A MINIMUM OF 208 VOLTS; AND

22 (2) MEETS APPLICABLE INDUSTRY SAFETY STANDARDS.

23 (G) "UNDERSERVED COMMUNITY" MEANS ANY CENSUS TRACT IN WHICH,
24 ACCORDING TO THE MOST RECENT U.S. CENSUS BUREAU SURVEY:

25 (1) AT LEAST 25% OF THE RESIDENTS QUALIFY AS LOW-INCOME;

26 (2) AT LEAST 50% OF THE RESIDENTS IDENTIFY AS NONWHITE; OR

27 (3) AT LEAST 15% OF THE RESIDENTS HAVE LIMITED ENGLISH
28 PROFICIENCY.

1 **(H) “UPTIME” MEANS THE AVAILABILITY AND CONSISTENCY OF AN EV**
2 **CHARGING STATION IN AN EV CHARGING NETWORK TO SUCCESSFULLY DISPENSE**
3 **ELECTRICITY AS DESIGNED, MEASURED AS A PERCENTAGE OF BOTH HOURS AND**
4 **DAYS OF A CALENDAR YEAR.**

5 **7-902.**

6 **THIS SUBTITLE APPLIES TO AN ELECTRIC COMPANY THAT:**

7 **(1) INSTALLS OR MAINTAINS AN EV CHARGING STATION FOR PUBLIC**
8 **USE; OR**

9 **(2) PARTICIPATES IN THE EV PILOT PROGRAM.**

10 **7-903.**

11 **THE COMMISSION SHALL, BY ORDER OR REGULATION, EXPAND THE EV PILOT**
12 **PROGRAM TO ALLOW PARTICIPATING ELECTRIC COMPANIES TO INSTALL EV**
13 **CHARGING STATIONS IN NEW AND EXISTING MULTIFAMILY DWELLINGS IN**
14 **UNDERSERVED COMMUNITIES.**

15 **7-904.**

16 **(A) AN ELECTRIC COMPANY OPERATING AN EV CHARGING NETWORK**
17 **SHALL ENSURE THAT EV CHARGING STATIONS IN THE EV CHARGING NETWORK**
18 **HAVE AN AVERAGE ANNUAL UPTIME OF 97% OR GREATER.**

19 **(B) AN ELECTRIC COMPANY SHALL CALCULATE EV CHARGING STATION**
20 **UPTIME ON A QUARTERLY BASIS FOR THE IMMEDIATELY PRECEDING 12 MONTHS.**

21 **(C) (1) AN ELECTRIC COMPANY THAT OPERATES AN EV CHARGING**
22 **STATION FOR PUBLIC USE SHALL BE SUBJECT TO THE SAME REPORTING**
23 **REQUIREMENTS AS AN ELECTRIC COMPANY THAT RECEIVES FEDERAL FUNDING**
24 **RELATED TO ELECTRIC VEHICLE CHARGING INFRASTRUCTURE.**

25 **(2) AN ELECTRIC COMPANY THAT OPERATES AN EV CHARGING**
26 **NETWORK OR EV CHARGING STATION SHALL SUBMIT THE FOLLOWING EV**
27 **CHARGING STATION DATA TO THE COMMISSION ON A QUARTERLY BASIS:**

28 **(I) THE LOCATION OF THE EV CHARGING STATION; AND**

29 **(II) FOR EACH EV CHARGING STATION:**

1 1. CHARGING SESSION START AND END TIMES AND RATE
2 OF SUCCESSFUL COMPLETION;

3 2. THE TOTAL AMOUNT OF ELECTRICITY, IN
4 KILOWATT-HOURS, DISPENSED TO AN ELECTRIC VEHICLE FOR EACH CHARGING
5 SESSION;

6 3. THE PEAK AMOUNT OF ELECTRICITY, IN KILOWATTS,
7 DISPENSED TO AN ELECTRIC VEHICLE FOR EACH CHARGING SESSION;

8 4. UPTIME FOR EACH OF THE PREVIOUS 3 MONTHS;

9 5. THE COST OF ELECTRICITY NEEDED TO OPERATE
10 EACH EV CHARGING STATION FOR EACH OF THE PREVIOUS 3 MONTHS;

11 6. MAINTENANCE AND REPAIR COSTS FOR EACH OF THE
12 PREVIOUS 3 MONTHS;

13 7. THE COST OF ACQUIRING REAL PROPERTY FOR USE AS
14 AN EV CHARGING STATION;

15 8. THE COST OF ACQUIRING AND INSTALLING ELECTRIC
16 VEHICLE CHARGING EQUIPMENT;

17 9. THE COST OF ACQUIRING AND INSTALLING
18 DISTRIBUTED ENERGY RESOURCES;

19 10. THE COST TO THE ELECTRIC COMPANY OF
20 CONNECTING TO THE ELECTRIC GRID AND ANY APPLICABLE CONNECTION
21 UPGRADES; AND

22 11. THE CAPACITY, IN KILOWATTS OR KILOWATT-HOURS
23 AS APPROPRIATE, OF EACH TYPE OF DISTRIBUTED ENERGY RESOURCE USED BY AN
24 EV CHARGING STATION.

25 **7-905.**

26 (A) SUBJECT TO SUBSECTION (B) OF THIS SECTION, THE COMMISSION, BY
27 ORDER OR REGULATION, SHALL REQUIRE AN ELECTRIC COMPANY PARTICIPATING
28 IN THE EV PILOT PROGRAM TO MAINTAIN AN ADEQUATE NUMBER OF STAFF TO
29 MONITOR, ASSESS, AND, WHEN NECESSARY, REPAIR THE EV CHARGING STATIONS
30 OPERATED BY THE ELECTRIC COMPANY.

1 **(B) THE COMMISSION SHALL DETERMINE:**

2 **(1) THE NUMBER OF STAFF REQUIRED TO ACHIEVE THE UPTIME**
3 **REQUIREMENTS OF THIS SUBTITLE; AND**

4 **(2) THE METHODS AN ELECTRIC COMPANY MAY USE TO RECOVER THE**
5 **COSTS OF MAINTAINING ADEQUATE STAFF TO ACHIEVE THE UPTIME REQUIREMENTS**
6 **OF THIS SUBTITLE.**

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
8 October 1, 2023.