

SENATE BILL 224

M3
SB 687/22 – EHE

3lr2004
CF HB 230

By: **Senators Augustine, Feldman, Smith, M. Washington, Watson, and Zucker**

Introduced and read first time: January 23, 2023

Assigned to: Education, Energy, and the Environment

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 25, 2023

CHAPTER _____

1 AN ACT concerning

2 **Department of the Environment – Zero-Emission Medium- and Heavy-Duty**
3 **Vehicles – Regulations**
4 **(Clean Trucks Act of 2023)**

5 FOR the purpose of requiring the Department of the Environment to adopt regulations on
6 or before a certain date establishing requirements for the sale of new zero-emission
7 medium- and heavy-duty vehicles in the State; requiring the Department, in
8 consultation with certain units of State government, to prepare and submit to the
9 General Assembly a certain needs assessment and deployment plan; authorizing the
10 Department to delay implementation of regulations adopted under this Act under
11 certain circumstances; altering the definition of “grant” for purposes of the
12 Medium-Duty and Heavy-Duty Zero-Emission Vehicle Grant Program; and
13 generally relating to the sale of zero-emission vehicles in the State.

14 BY adding to
15 Article – Environment
16 Section 2-1103.1
17 Annotated Code of Maryland
18 (2013 Replacement Volume and 2022 Supplement)

19 BY repealing and reenacting, with amendments,
20 Article – State Government
21 Section 9-2011(a)
22 Annotated Code of Maryland
23 (2021 Replacement Volume and 2022 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 BY repealing and reenacting, without amendments,
 2 Article – State Government
 3 Section 9–2011(b) and (c)
 4 Annotated Code of Maryland
 5 (2021 Replacement Volume and 2022 Supplement)

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

8 **Article – Environment**

9 **2–1103.1.**

10 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
 11 INDICATED.

12 (2) “HEAVY–DUTY VEHICLE” MEANS A VEHICLE WITH A GROSS
 13 VEHICLE WEIGHT RATING EQUAL TO OR GREATER THAN ~~26,001~~ 14,001 POUNDS.

14 (3) “MEDIUM–DUTY VEHICLE” MEANS A VEHICLE WITH A GROSS
 15 VEHICLE WEIGHT RATING OF NOT LESS THAN ~~10,000~~ 8,501 POUNDS AND NOT MORE
 16 THAN ~~26,000~~ 14,000 POUNDS.

17 (B) (1) ON OR BEFORE DECEMBER 1, 2023, THE DEPARTMENT SHALL
 18 ADOPT REGULATIONS ESTABLISHING REQUIREMENTS FOR THE SALE OF NEW
 19 ZERO–EMISSION MEDIUM– AND HEAVY–DUTY VEHICLES IN THE STATE.

20 (2) THE REGULATIONS ADOPTED UNDER PARAGRAPH (1) OF THIS
 21 SUBSECTION ~~MAY~~ SHALL:

22 (i) UPDATE EXISTING REGULATIONS; ~~AND~~

23 (ii) INCORPORATE BY REFERENCE THE CALIFORNIA AIR
 24 RESOURCES BOARD’S ~~VEHICLE STANDARDS~~ ADVANCED CLEAN TRUCKS
 25 REGULATIONS, AS REVISED AND ~~UPDATED.~~ UPDATED; AND

26 (iii) SUBJECT TO SUBSECTION (D) OF THIS SECTION, TAKE
 27 EFFECT STARTING WITH MODEL YEAR 2027.

28 (C) (1) THE DEPARTMENT, IN CONSULTATION WITH THE DEPARTMENT
 29 OF TRANSPORTATION, THE DEPARTMENT OF GENERAL SERVICES, THE MARYLAND
 30 ENERGY ADMINISTRATION, AND THE PUBLIC SERVICE COMMISSION, SHALL
 31 PREPARE A NEEDS ASSESSMENT AND DEPLOYMENT PLAN RELATING TO THE
 32 SUCCESSFUL IMPLEMENTATION OF REGULATIONS ADOPTED UNDER THIS SECTION.

1 **(2) THE NEEDS ASSESSMENT AND DEPLOYMENT PLAN SHALL ASSESS**
2 **AND PLAN FOR:**

3 **(i) THE ADDITIONAL ELECTRICAL CAPACITY, TRANSMISSION,**
4 **DISTRIBUTION DEMANDS, AND HYDROGEN FUELING DEMANDS THAT WILL RESULT**
5 **FROM IMPLEMENTATION OF THE REGULATIONS, AND THE ABILITY OF THE STATE’S**
6 **ELECTRIC UTILITIES, GRID, AND HYDROGEN INFRASTRUCTURE TO MEET THOSE**
7 **DEMANDS, BASED ON PUBLICLY AVAILABLE INFORMATION AND EXISTING**
8 **ANALYSES;**

9 **(ii) THE NUMBER OF ZERO-EMISSION MEDIUM- AND**
10 **HEAVY-DUTY VEHICLE RECHARGING AND REFUELING STATIONS RECOMMENDED**
11 **FOR IMPLEMENTATION OF THE REGULATIONS, AND THE COSTS, PERMITTING**
12 **PROCESSES, AND TIMELINES FOR INSTALLING THOSE STATIONS;**

13 **(iii) THE PURCHASE INCENTIVES AND OTHER MECHANISMS**
14 **RECOMMENDED FOR SUCCESSFUL IMPLEMENTATION OF THE REGULATIONS,**
15 **INCLUDING INCENTIVES FOR RECHARGING AND REFUELING STATIONS AND**
16 **RELATED INFRASTRUCTURE, AND THE EXISTING AND POTENTIAL SOURCES OF**
17 **FUNDING FOR THOSE INCENTIVES AND MECHANISMS; AND**

18 **(iv) THE TIMELINE, ECONOMIC FEASIBILITY, AND MODELS**
19 **AVAILABLE FOR TRANSITIONING MEDIUM- AND HEAVY-DUTY VEHICLES IN THE**
20 **STATE VEHICLE FLEET, INCLUDING STATE-CONTRACTED MEDIUM- AND**
21 **HEAVY-DUTY VEHICLES, TO ZERO-EMISSION VEHICLES.**

22 **(3) ON OR BEFORE DECEMBER 1, 2024, THE DEPARTMENT SHALL**
23 **SUBMIT THE NEEDS ASSESSMENT AND DEPLOYMENT PLAN TO THE GENERAL**
24 **ASSEMBLY IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE.**

25 **(D) THE DEPARTMENT MAY DELAY IMPLEMENTATION OF THE**
26 **REGULATIONS AUTHORIZED UNDER THIS SECTION BY ONE OR MORE MODEL YEARS**
27 **IF, AFTER CONSULTING WITH THE DEPARTMENT OF TRANSPORTATION, THE**
28 **DEPARTMENT OF GENERAL SERVICES, THE MARYLAND ENERGY ADMINISTRATION,**
29 **AND THE PUBLIC SERVICE COMMISSION, THE DEPARTMENT DETERMINES, BASED**
30 **ON CRITERIA IDENTIFIED THROUGH THE NEEDS ASSESSMENT AND DEPLOYMENT**
31 **PLAN, THAT IMPLEMENTATION OF THE REGULATIONS IS NOT YET FEASIBLE.**

Article – State Government

32
33 9-2011.

34 **(a) (1) In this section the following words have the meanings indicated.**

1 (2) “Grant” means a medium-duty or heavy-duty zero-emission vehicle
 2 grant issued by the Administration under this section for up to [20%] 100% of the
 3 INCREMENTAL cost of a qualified medium-duty or heavy-duty zero-emission vehicle,
 4 qualified medium-duty or heavy-duty zero-emission vehicle supply equipment, or
 5 zero-emission heavy equipment property.

6 (3) “INCREMENTAL COST” MEANS:

7 (I) THE DIFFERENCE IN PRICE OF A CONVENTIONAL MODEL
 8 VEHICLE AND A ZERO-EMISSION MODEL THAT IS ATTRIBUTABLE TO THE
 9 ZERO-EMISSION TECHNOLOGY; OR

10 (II) THE COST TO RETROFIT A CONVENTIONAL MODEL VEHICLE
 11 TO OPERATE AS A ZERO-EMISSION VEHICLE.

12 (4) “Program” means the Medium-Duty and Heavy-Duty Zero-Emission
 13 Vehicle Grant Program.

14 ~~[(4)]~~ (5) “Qualified medium-duty or heavy-duty zero-emission vehicle”
 15 means a motor vehicle that is:

16 (i) rated at more than 8,500 pounds unloaded gross weight; and

17 (ii) powered by electricity that is stored in a battery or produced by
 18 a hydrogen fuel cell.

19 ~~[(5)]~~ (6) “Qualified medium-duty or heavy-duty zero-emission vehicle
 20 supply equipment” means property in the State that is used for recharging or refueling
 21 medium-duty or heavy-duty zero-emission vehicles or zero-emission heavy equipment
 22 property.

23 ~~[(6)]~~ (7) (i) “Zero-emission heavy equipment property” means
 24 construction, earthmoving, or industrial heavy equipment, including any attachment for
 25 the equipment, that:

26 1. is mobile; and

27 2. does not use an internal combustion engine.

28 (ii) “Zero-emission heavy equipment property” includes:

29 1. a self-propelled vehicle that is not designed to be driven
 30 on a highway; and

1 2. industrial electrical generation equipment, industrial lift
2 equipment, industrial material handling equipment, or other similar industrial equipment.

3 (b) (1) There is a Medium–Duty and Heavy–Duty Zero–Emission Vehicle
4 Grant Program.

5 (2) The Administration shall administer the Program.

6 (c) (1) For each of fiscal years 2024 through 2027, a person or a unit of local
7 government may apply to the Administration for a grant under the Program.

8 (2) For the purpose of calculating the amount of a grant, the
9 Administration may allow an applicant to include reasonable installation costs in the cost
10 of qualified medium–duty or heavy–duty zero–emission vehicle supply equipment.

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
12 1, 2023.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.