

Chapter 582

(House Bill 830)

AN ACT concerning

Residential Construction ~~or Significant Renovation~~ – Electric Vehicle Charging

FOR the purpose of establishing and altering certain requirements related to the installation of equipment for the charging of electric vehicles during the construction ~~or significant renovation~~ of certain housing units ~~or multifamily residential buildings~~; clarifying that a county or municipal corporation may require a greater number of electric vehicle parking spaces under certain circumstances; *requiring the Maryland Energy Administration to study certain issues related to the installation of electric vehicle parking spaces at multifamily residential buildings*; and generally relating to electric vehicle supply equipment on new residential construction ~~and residential construction undergoing significant renovation~~.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 12–205
Annotated Code of Maryland
(2022 Replacement Volume)

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.]

(3) “ELECTRIC VEHICLE SUPPLY EQUIPMENT” MEANS A DEVICE OR FACILITY FOR DELIVERING ELECTRICITY TO AN ELECTRIC VEHICLE.

~~**(4) “EV-CAPABLE PARKING SPACE” MEANS A PARKING SPACE THAT:**~~

~~(I) HAS THE ELECTRICAL PANEL CAPACITY AND CONDUIT INSTALLED TO SUPPORT THE FUTURE INSTALLATION OF A MINIMUM 40 AMPERE, 208/240 VOLT CIRCUIT; AND~~

~~(II) IS NOT INCLUDED IN LOAD CALCULATIONS OR ELECTRIC RESERVE CAPACITY.~~

~~(5) (4)~~ “EV-READY PARKING SPACE” MEANS A ~~DEDICATED~~ PARKING SPACE THAT HAS ~~A~~ ELECTRICAL PANEL CAPACITY AND FULL CIRCUIT INSTALLATION OF A MINIMUM 30-AMPERE 40-AMPERE, 208/240-VOLT CIRCUIT PANEL CAPACITY, RACEWAY WIRING, A NEMA 14-50R RECEPTACLE, AND CIRCUIT ~~OVERPROTECTION~~ OVERCURRENT PROTECTION DEVICES.

~~(5) (6) (5) (I)~~ “EVSE-INSTALLED PARKING SPACE” MEANS A ~~DEDICATED~~ PARKING SPACE WITH ELECTRIC VEHICLE SUPPLY EQUIPMENT THAT IS FULLY INSTALLED FROM THE ELECTRICAL PANEL TO THE PARKING SPACE.

~~(II) “EVSE-INSTALLED PARKING SPACE” INCLUDES THE USE OF DUAL-HEAD ELECTRIC VEHICLE SUPPLY EQUIPMENT USING A SINGLE CIRCUIT OF AT LEAST 40 AMPERE, 208/240 VOLT TO PROVIDE CHARGING TO TWO ADJACENT EV-CAPABLE OR EV-READY PARKING SPACES.~~

~~(6) (7) (6) (I)~~ “HOUSING UNITS” ~~INCLUDES~~ MEANS:

~~(I)~~ 1. SINGLE-FAMILY DETACHED HOUSES;

~~(II)~~ 2. DUPLEXES; AND

~~(III)~~ 3. TOWN HOUSES THAT ARE SUBJECT TO THE PROVISIONS OF THE INTERNATIONAL RESIDENTIAL CODE INTERNATIONAL RESIDENTIAL CODE; ~~AND~~

~~(III) MULTIFAMILY RESIDENTIAL BUILDINGS.~~

~~(II) “HOUSING UNITS” DOES NOT INCLUDE MULTIFAMILY RESIDENTIAL BUILDINGS THAT ARE SUBJECT TO THE PROVISIONS OF THE INTERNATIONAL BUILDING CODE.~~

~~[(4) (7) (8) (7)]~~ “Level 2 charging” means that the charging capability of the electric vehicle [charging station] SUPPLY EQUIPMENT:

(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) “MULTIFAMILY RESIDENTIAL BUILDING” MEANS A BUILDING WITH MULTIPLE DWELLING UNITS, WHETHER RENTED OR OWNED BY THE RESIDENTS, THAT IS SUBJECT TO THE PROVISIONS OF THE INTERNATIONAL BUILDING CODE.~~

~~(8) (10) “SIGNIFICANT RENOVATION” MEANS ANY RENOVATIONS TO A HOUSING UNIT LEVEL 3 ALTERATIONS, AS DEFINED IN THE INTERNATIONAL EXISTING BUILDING CODE, THAT INCLUDE ELECTRIC PANEL UPGRADES THAT INCREASE CAPACITY OF THE PANEL OR PARKING UPGRADES THAT INVOLVE TRENCHING IN OR AROUND PARKING SPACES.~~

~~(5) (9) (11) (8)~~ “Vehicle” has the meaning stated in § 11-176 of the Transportation Article.

(b) ~~This section applies only to:~~

~~(1) the construction of new housing units[, including:~~

~~(1) single family detached homes; and~~

~~(2) town houses]; AND~~

~~(2) THE SIGNIFICANT RENOVATION OF EXISTING HOUSING UNITS.~~

~~(e) (1) THIS SUBSECTION APPLIES TO THE CONSTRUCTION OR SIGNIFICANT RENOVATION OF HOUSING UNITS THAT INCLUDE A SEPARATE GARAGE, CARPORT, OR DRIVEWAY FOR EACH RESIDENTIAL UNIT.~~

~~(2) 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] OR IF AN EXISTING HOUSING UNIT THAT INCLUDES A GARAGE, CARPORT, OR DRIVEWAY IS UNDERGOING SIGNIFICANT RENOVATION, THE CONSTRUCTION OR RENOVATION THE CONSTRUCTION OF A NEW HOUSING UNIT OR SIGNIFICANT RENOVATION OF AN EXISTING HOUSING UNIT SHALL include in or on [the] EACH garage, carport, or driveway:~~

~~(1) (I) [an electric vehicle charging station] ONE EVSE-INSTALLED PARKING SPACE 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.]

- ~~(2) (II) ONE EV-READY PARKING SPACE; OR~~
~~(III) ONE EV-CAPABLE PARKING SPACE.~~

[(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.]

~~(D)(C) (1) THIS SUBSECTION APPLIES TO THE CONSTRUCTION OF HOUSING UNITS OR MULTIFAMILY RESIDENTIAL BUILDINGS THAT DO NOT INCLUDE A SEPARATE GARAGE, CARPORT, OR DRIVEWAY FOR EACH RESIDENTIAL UNIT BUT WILL PROVIDE PARKING ON-SITE FOR RESIDENTS.~~

~~(2) (I) IF THE CONSTRUCTION OR SIGNIFICANT RENOVATION OF TOWN HOUSES AND MULTIFAMILY RESIDENTIAL BUILDINGS WILL NOT INCLUDE AT LEAST ONE GARAGE, CARPORT, OR DRIVEWAY FOR EACH RESIDENTIAL UNIT BUT WILL INCLUDE OFF-STREET COMMUNAL PARKING, THE CONSTRUCTION OR SIGNIFICANT RENOVATION SHALL INCLUDE AT LEAST ONE COMMUNAL PARKING SPACE FOR EACH 25 RESIDENTIAL UNITS FEATURING AN EVSE-INSTALLED PARKING SPACE. THE CONSTRUCTION OF A NEW HOUSING UNIT OR MULTIFAMILY RESIDENTIAL BUILDING SHALL INCLUDE:~~

~~1. AT LEAST ONE EVSE-INSTALLED PARKING SPACE CAPABLE OF PROVIDING AT LEAST LEVEL 2 CHARGING LOCATED IN A COMMON USE PARKING AREA THAT IS AVAILABLE FOR USE BY ALL RESIDENTS; AND~~

~~2. SUBJECT TO THE PROVISIONS OF PARAGRAPH (3) OF THIS SUBSECTION, THE FOLLOWING NUMBER OF EV-CAPABLE PARKING SPACES, WHICH MAY BE DEDICATED TO RESIDENTIAL UNITS OR MADE AVAILABLE FOR COMMON USE:~~

~~A. FOR A DEVELOPMENT APPLICATION OR BUILDING PERMIT APPLICATION MADE ON OR AFTER OCTOBER 1, 2023, AT LEAST 10% OF THE PARKING SPACES;~~

~~**B. FOR A DEVELOPMENT APPLICATION OR BUILDING PERMIT APPLICATION MADE ON OR AFTER JANUARY 1, 2030, AT LEAST 20% OF THE PARKING SPACES; AND**~~

~~**C. FOR A DEVELOPMENT APPLICATION OR BUILDING PERMIT APPLICATION MADE ON OR AFTER JANUARY 1, 2035, AT LEAST 30% OF THE PARKING SPACES.**~~

~~**(H) EACH COMMUNAL COMMON USE EVSE INSTALLED PARKING SPACE SHALL BE MARKED AS INTENDED FOR ELECTRIC VEHICLE CHARGING ONLY WITH A SIGN THAT COMPLIES WITH § 21-1003.2 OF THE TRANSPORTATION ARTICLE.**~~

~~**(2) (3) (C) NOTWITHSTANDING ANY OTHER LAW, A COUNTY OR MUNICIPAL CORPORATION MAY REQUIRE THE CONSTRUCTION OR SIGNIFICANT RENOVATION OF TOWN HOUSES OF HOUSING UNITS AND MULTIFAMILY RESIDENTIAL BUILDINGS THAT WILL NOT INCLUDE AT LEAST ONE GARAGE, CARPORT, OR DRIVEWAY FOR EACH RESIDENTIAL UNIT BUT WILL INCLUDE OFF STREET COMMUNAL PARKING COVERED UNDER THIS SUBSECTION TO INCLUDE A GREATER NUMBER OF EVSE-INSTALLED EV-CAPABLE EVSE-INSTALLED PARKING SPACES OR EV-READY PARKING SPACES THAN ARE REQUIRED UNDER PARAGRAPH SUBSECTION (1) (2) (B) OF THIS SUBSECTION SECTION.**~~

~~**(4) AN EV-CAPABLE, EV-READY, OR EVSE-INSTALLED PARKING SPACE SHALL BE COUNTED AS PART OF THE OVERALL NUMBER OF PARKING SPACES FOR THE PURPOSE OF COMPLYING WITH ANY ZONING OR PARKING LAWS.**~~

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 new construction ~~or significant renovation~~ for which a ~~building permit is issued~~ complete commercial or residential service request is made to the local utility or a development application or building permit application is filed with a county or municipal corporation before the effective date of this Act.

SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) (1) The Maryland Energy Administration shall study:

(i) the cost of requiring multifamily residential buildings to include EV-ready and EVSE-installed parking spaces; ~~and~~

(ii) the appropriate ratio of EVSE-installed parking spaces to dwelling units in a multifamily residential building to support the State's greenhouse gas emissions reduction goals; and

(iii) different options for paying for charging an electric vehicle at an EVSE-installed parking space at multifamily residential buildings, including:

1. options to pay for vehicle charging directly at the charging station, through credit card, access code, or cash; and

2. options for including the cost of electric vehicle charging as part of rent, condominium fees, or homeowner's association fees.

(2) The study shall include estimates of:

(i) subject to paragraph (3) of this subsection, the cost to:

1. include EV-ready or EVSE-installed parking spaces at newly constructed multifamily residential buildings; and

2. retrofit existing multifamily residential buildings with EV-ready or EVSE-installed parking spaces; and

(ii) in consultation with the Department of the Environment, the number of electric vehicles that will be on the road in the State in each year from 2024 through 2050, inclusive, after the State adopts the California Advanced Clean Cars II regulations.

(3) The cost estimates required under paragraph (2)(i) of this subsection shall include separate estimates:

(i) for EV-ready and EVSE-installed parking spaces;

(ii) based on the following assumptions:

1. that at least 10% of the parking spaces will be required to be EV-ready or EVSE-installed;

2. that at least 25% of the parking spaces will be required to be EV-ready or EVSE-installed; and

3. that at least 50% of the parking spaces will be required to be EV-ready or EVSE-installed; and

(iii) for the following categories of parking:

1. open air parking lots;

2. underground parking structures; and

3. parking garages.

(b) On or before December 1, 2023, the Administration shall report its findings and recommendations to the Governor and, in accordance with § 2-1257 of the State Government Article, the General Assembly.

SECTION ~~3~~ 4. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2023.

Approved by the Governor, May 8, 2023.