

HOUSE BILL 1039

M4, C2, M5

5r1999
CF SB 913

By: **Delegate Allen**

Introduced and read first time: February 5, 2025

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Department of Agriculture – Public Electric Vehicle Supply Equipment –**
3 **Registration, Regulation, and Oversight**

4 FOR the purpose of requiring the owner of public electric vehicle supply equipment to
5 register with the Secretary of Agriculture on or before certain dates; applying certain
6 provisions of law regarding weights and measures to public electric vehicle supply
7 equipment; requiring the Secretary to establish a program to test the weight and
8 measure of public electric vehicle supply equipment and ensure the equipment
9 conforms to certain standards; requiring the Secretary, in consultation with the
10 Public Service Commission, to establish certain reliability, reporting, and consumer
11 standards for public electric vehicle supply equipment; requiring the Secretary to
12 develop and establish procedures and processes for inspecting and decommissioning
13 public electric vehicle supply equipment; and generally relating to public electric
14 vehicle supply equipment.

15 BY repealing and reenacting, with amendments,
16 Article – Agriculture
17 Section 11–204.2, 11–204.6, and 11–208.1
18 Annotated Code of Maryland
19 (2016 Replacement Volume and 2024 Supplement)

20 BY adding to
21 Article – Agriculture
22 Section 11–501 through 11–509 to be under the new subtitle “Subtitle 5. Electric
23 Vehicle Supply Equipment”
24 Annotated Code of Maryland
25 (2016 Replacement Volume and 2024 Supplement)

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



Article – Agriculture

11-204.2.

(a) Except as provided in subsection (b) of this section, unless registered with the Secretary under § 11-204.3 or § 11-204.4 of this subtitle **OR § 11-502 OF THIS TITLE**, a weight and measure may not be used or possessed for current use for:

(1) Buying or selling any commodity or object;

(2) Hire or award;

(3) Computing any charge or payment for services rendered on the basis of weight and measurement; or

(4) Determining any weight and measure for a charge.

(b) This section does not apply to counting scales.

11-204.6.

(a) (1) There is a [“Weights and Measures Fund”] **WEIGHTS AND MEASURES FUND**.

(2) All fees collected under §§ 11-204.3, 11-204.4, and 11-204.7 of this subtitle **AND § 11-502 OF THIS TITLE** shall be credited to the Fund.

(3) The Fund shall be used to defray the expenses of administering this title.

(b) (1) The Fund shall be used for the purposes stated in this title.

(2) At the end of a fiscal year, any unspent or unencumbered balance in the Fund may not revert to the General Fund of the State, but shall remain in the Weights and Measures Fund.

11-208.1.

(a) **THIS SECTION DOES NOT APPLY TO VIOLATIONS UNDER SUBTITLE 5 OF THIS TITLE.**

(b) Instead of pursuing criminal charges provided in this article, the Secretary may impose on any person who violates this title a civil penalty of:

(1) For a first violation, not more than \$500;

1 (2) For a second violation, not more than \$1,000; or

2 (3) For a third or subsequent violation, not more than \$2,000.

3 [(b)] (C) Penalties collected by the Secretary under this section shall be paid into
4 the General Fund of the State.

5 [(c)] (D) The Secretary shall adopt regulations necessary to carry out the
6 provisions of this section.

7 **SUBTITLE 5. ELECTRIC VEHICLE SUPPLY EQUIPMENT.**

8 **11-501.**

9 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
10 INDICATED.

11 (B) “ELECTRIC VEHICLE SUPPLY EQUIPMENT” MEANS A UNIT THAT:

12 (1) CONTROLS THE POWER SUPPLY TO ONE OR MORE ELECTRIC
13 VEHICLES THROUGH A CONNECTED POINT AT WHICH CURRENT IS TAKEN TO
14 CHARGE A BATTERY OR ANY OTHER ENERGY STORAGE DEVICE IN AN ELECTRIC
15 VEHICLE; AND

16 (2) IS CAPABLE OF PROVIDING, AT A MINIMUM:

17 (I) LEVEL 2 CHARGING; OR

18 (II) DIRECT CURRENT FAST CHARGING.

19 (C) “PRIVATE ELECTRIC VEHICLE SUPPLY EQUIPMENT” MEANS ELECTRIC
20 VEHICLE SUPPLY EQUIPMENT THAT IS AVAILABLE TO AND ACCESSIBLE BY ONLY THE
21 OWNER OF THE EQUIPMENT AND IS NOT AVAILABLE TO OR ACCESSIBLE BY THE
22 PUBLIC.

23 (D) “PUBLIC ELECTRIC VEHICLE SUPPLY EQUIPMENT” MEANS ELECTRIC
24 VEHICLE SUPPLY EQUIPMENT THAT:

25 (1) IS AVAILABLE TO AND ACCESSIBLE BY THE PUBLIC TO CHARGE AN
26 ELECTRIC VEHICLE FOR A FEE; AND

27 (2) MAY BE AVAILABLE TO THE PUBLIC ONLY DURING A SPECIFIC
28 PERIOD OF TIME.

1 **(E) “PUBLIC FUNDS” MEANS ANY FINANCIAL COMPENSATION FROM THE**
2 **FEDERAL GOVERNMENT, THE STATE, OR A LOCAL GOVERNMENT OR UTILITY**
3 **RATEPAYERS.**

4 **(F) “SHARED PRIVATE ELECTRIC VEHICLE SUPPLY EQUIPMENT” MEANS**
5 **ELECTRIC VEHICLE SUPPLY EQUIPMENT:**

6 **(1) THAT IS AVAILABLE TO AND ACCESSIBLE BY ONLY:**

7 **(I) EMPLOYEES, TENANTS, AND VISITORS OF THE OWNER OF**
8 **THE ELECTRIC VEHICLE SUPPLY EQUIPMENT; AND**

9 **(II) INDIVIDUALS RESIDING IN A MULTIFAMILY DWELLING AT**
10 **WHICH THE OWNER HAS INSTALLED ELECTRIC VEHICLE SUPPLY EQUIPMENT; AND**

11 **(2) FOR WHICH PAYMENT OF A FEE IS NOT REQUIRED TO CHARGE AN**
12 **ELECTRIC VEHICLE.**

13 **(G) “UPTIME” MEANS THE AVAILABILITY AND CONSISTENCY OF ELECTRIC**
14 **VEHICLE SUPPLY EQUIPMENT TO SUCCESSFULLY DISPENSE ELECTRICITY AS**
15 **DESIGNED, MEASURED AS A PERCENTAGE OF BOTH HOURS AND DAYS OF A YEAR.**

16 **11-502.**

17 **(A) THIS SECTION DOES NOT APPLY TO:**

18 **(1) PRIVATE ELECTRIC VEHICLE SUPPLY EQUIPMENT;**

19 **(2) SHARED PRIVATE ELECTRIC VEHICLE SUPPLY EQUIPMENT; OR**

20 **(3) ELECTRIC VEHICLE SUPPLY EQUIPMENT THAT IS REGISTERED**
21 **WITH THE COMPTROLLER OR THE PUBLIC SERVICE COMMISSION.**

22 **(B) (1) THE OWNER OF PUBLIC ELECTRIC VEHICLE SUPPLY EQUIPMENT**
23 **SHALL REGISTER THE ELECTRIC VEHICLE SUPPLY EQUIPMENT WITH THE**
24 **SECRETARY.**

25 **(2) UNLESS REGISTERED WITH THE SECRETARY UNDER THIS**
26 **SECTION, PUBLIC ELECTRIC VEHICLE SUPPLY EQUIPMENT MAY NOT BE USED TO**
27 **CHARGE AN ELECTRIC VEHICLE:**

28 **(I) ON OR AFTER OCTOBER 1, 2026, FOR PUBLIC ELECTRIC**
29 **VEHICLE SUPPLY EQUIPMENT PLACED IN SERVICE BEFORE OCTOBER 1, 2025; OR**

1 (II) ON OR AFTER JANUARY 1, 2026, FOR PUBLIC ELECTRIC
2 VEHICLE SUPPLY EQUIPMENT PLACED IN SERVICE ON OR AFTER OCTOBER 1, 2025.

3 (C) AN APPLICANT FOR REGISTRATION SHALL:

4 (1) SUBMIT AN APPLICATION FOR REGISTRATION ON THE FORM THAT
5 THE SECRETARY REQUIRES; AND

6 (2) PAY A REGISTRATION FEE SET BY THE SECRETARY IN
7 ACCORDANCE WITH SUBSECTION (F) OF THIS SECTION.

8 (D) (1) THE SECRETARY SHALL ISSUE A CERTIFICATE OF REGISTRATION
9 TO EACH APPLICANT THAT MEETS THE REQUIREMENTS ESTABLISHED BY THE
10 SECRETARY.

11 (2) (I) THE SECRETARY SHALL ESTABLISH THE FORM OF THE
12 CERTIFICATE OF REGISTRATION.

13 (II) THE FORM ESTABLISHED UNDER SUBPARAGRAPH (I) OF
14 THIS PARAGRAPH SHALL IDENTIFY THE OWNER OF THE PUBLIC ELECTRIC VEHICLE
15 SUPPLY EQUIPMENT.

16 (3) A REGISTRANT SHALL DISPLAY THE CERTIFICATE OF
17 REGISTRATION CONSPICUOUSLY ON EACH PIECE OF PUBLIC ELECTRIC VEHICLE
18 SUPPLY EQUIPMENT OWNED BY THE REGISTRANT.

19 (E) (1) UNLESS A REGISTRATION IS RENEWED FOR A 1-YEAR TERM, THE
20 REGISTRATION EXPIRES 1 YEAR FROM THE EFFECTIVE DATE OF THE REGISTRATION.

21 (2) BEFORE A REGISTRATION EXPIRES, THE REGISTRATION MAY BE
22 RENEWED FOR AN ADDITIONAL 1-YEAR TERM IF THE APPLICANT:

23 (I) IS THE OWNER OF THE PUBLIC ELECTRIC VEHICLE SUPPLY
24 EQUIPMENT;

25 (II) PAYS THE APPLICABLE RENEWAL FEE SET BY THE
26 SECRETARY IN ACCORDANCE WITH SUBSECTION (F) OF THIS SECTION; AND

27 (III) SUBMITS TO THE SECRETARY AN APPLICATION FOR
28 RENEWAL ON THE FORM THAT THE SECRETARY REQUIRES.

1 **(3) THE OWNER SHALL NOTIFY THE SECRETARY IF THE OWNER OF**
2 **PUBLIC ELECTRIC VEHICLE SUPPLY EQUIPMENT SELLS, TRANSFERS, OR MOVES THE**
3 **EQUIPMENT TO A NEW LOCATION.**

4 **(F) (1) THE SECRETARY SHALL SET THE REGISTRATION FEE AND**
5 **RENEWAL FEE AT AN AMOUNT THAT WILL COVER THE COST OF REGISTERING OR**
6 **RENEWING THE REGISTRATION OF THE PUBLIC ELECTRIC VEHICLE SUPPLY**
7 **EQUIPMENT.**

8 **(2) THE FEES COLLECTED UNDER THIS SECTION SHALL BE**
9 **DEPOSITED INTO THE WEIGHTS AND MEASURES FUND UNDER § 11-204.6 OF THIS**
10 **TITLE.**

11 **11-503.**

12 **(A) (1) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBTITLE, THE**
13 **PROVISIONS OF SUBTITLE 2 OF THIS TITLE APPLY TO PUBLIC ELECTRIC VEHICLE**
14 **SUPPLY EQUIPMENT.**

15 **(2) THE PROVISIONS OF § 11-208.1 OF THIS TITLE DO NOT APPLY TO**
16 **VIOLATIONS OF THIS SUBTITLE.**

17 **(B) IN ACCORDANCE WITH SUBTITLE 2 OF THIS TITLE, THE SECRETARY**
18 **SHALL ESTABLISH A PROGRAM TO TEST THE WEIGHT AND MEASURE OF ELECTRIC**
19 **VEHICLE SUPPLY EQUIPMENT THAT IS REQUIRED TO BE REGISTERED UNDER THIS**
20 **SUBTITLE.**

21 **(C) THE SECRETARY SHALL ENSURE THAT PUBLIC ELECTRIC VEHICLE**
22 **SUPPLY EQUIPMENT REQUIRED TO BE REGISTERED UNDER THIS SUBTITLE**
23 **CONFORMS TO THE STANDARDS ESTABLISHED BY THE NATIONAL INSTITUTE OF**
24 **STANDARDS AND TECHNOLOGY HANDBOOK 44.**

25 **11-504.**

26 **(A) THE SECRETARY, IN CONSULTATION WITH THE PUBLIC SERVICE**
27 **COMMISSION, SHALL ESTABLISH RELIABILITY AND REPORTING STANDARDS FOR**
28 **PUBLIC ELECTRIC VEHICLE SUPPLY EQUIPMENT THAT IS REQUIRED TO BE**
29 **REGISTERED UNDER THIS SUBTITLE.**

30 **(B) THE RELIABILITY AND REPORTING STANDARDS SHALL INCLUDE, AT A**
31 **MINIMUM, FOR EACH PIECE OF ELECTRIC VEHICLE SUPPLY EQUIPMENT:**

32 **(1) THE DATE THAT THE EQUIPMENT IS PLACED IN SERVICE;**

1 **(2) THE POWER OUTPUT IN KILOWATTS, INCLUDING THE ANNUAL**
2 **KILOWATT-HOUR OUTPUT, AND LEVEL;**

3 **(3) THE NUMBER OF PORTS AND TYPES OF CONNECTORS;**

4 **(4) THE HOURS OF OPERATION;**

5 **(5) THE AMOUNT OF THE FEE TO USE THE EQUIPMENT AND THE**
6 **PAYMENT METHODS ACCEPTED;**

7 **(6) THE UPTIME; AND**

8 **(7) THE ELECTRIC VEHICLE NETWORK TO WHICH THE ELECTRIC**
9 **VEHICLE SUPPLY EQUIPMENT BELONGS.**

10 **(C) THE OWNER OF ELECTRIC VEHICLE SUPPLY EQUIPMENT MAY**
11 **DESIGNATE A THIRD PARTY TO COMPLY WITH THE RELIABILITY AND REPORTING**
12 **STANDARDS ESTABLISHED BY THE SECRETARY.**

13 **(D) (1) THIS SUBSECTION APPLIES ONLY TO PUBLIC ELECTRIC VEHICLE**
14 **SUPPLY EQUIPMENT THAT IS CONSTRUCTED OR PURCHASED WITH PUBLIC FUNDS.**

15 **(2) THE SECRETARY MAY ESTABLISH AND IMPOSE A CIVIL PENALTY**
16 **AGAINST THE OWNER OF ELECTRIC VEHICLE SUPPLY EQUIPMENT FOR A VIOLATION**
17 **OF THE REPORTING AND RELIABILITY STANDARDS ESTABLISHED UNDER THIS**
18 **SECTION.**

19 **(3) THE SECRETARY SHALL PROVIDE NOTICE OF AND OPPORTUNITY**
20 **TO CURE THE VIOLATION BEFORE IMPOSING A CIVIL PENALTY.**

21 **(4) PENALTIES COLLECTED UNDER THIS SECTION SHALL BE PAID**
22 **INTO THE GENERAL FUND OF THE STATE.**

23 **11-505.**

24 **(A) THE SECRETARY, IN CONSULTATION WITH THE PUBLIC SERVICE**
25 **COMMISSION, SHALL ESTABLISH CONSUMER STANDARDS FOR PUBLIC ELECTRIC**
26 **VEHICLE SUPPLY EQUIPMENT THAT IS REQUIRED TO BE REGISTERED UNDER §**
27 **11-502 OF THIS SUBTITLE.**

28 **(B) THE CONSUMER STANDARDS SHALL INCLUDE, AT A MINIMUM:**

1 **(1) THE TYPE OF PAYMENT OPTIONS THAT MUST BE AVAILABLE TO**
2 **CHARGE AN ELECTRIC VEHICLE WITH PUBLIC ELECTRIC VEHICLE SUPPLY**
3 **EQUIPMENT;**

4 **(2) THE LANGUAGE OPTIONS THAT MUST BE AVAILABLE TO CHARGE**
5 **AN ELECTRIC VEHICLE WITH PUBLIC ELECTRIC VEHICLE SUPPLY EQUIPMENT;**

6 **(3) THE INFORMATION AN OWNER OF PUBLIC ELECTRIC VEHICLE**
7 **SUPPLY EQUIPMENT MUST MAKE PUBLICLY AVAILABLE, INCLUDING:**

8 **(I) CHARGING RATES;**

9 **(II) LOCATION OF PUBLIC ELECTRIC VEHICLE SUPPLY**
10 **EQUIPMENT; AND**

11 **(III) REAL TIME AVAILABILITY AND ACCESSIBILITY OF PUBLIC**
12 **ELECTRIC VEHICLE SUPPLY EQUIPMENT;**

13 **(4) LABELING REQUIREMENTS FOR PUBLIC ELECTRIC VEHICLE**
14 **SUPPLY EQUIPMENT, INCLUDING CHARGING RATES, CAPACITY, VOLTAGE, AND**
15 **CUSTOMER SERVICE CONTACT INFORMATION;**

16 **(5) EMPLOYEE TRAINING OR CERTIFICATION REQUIREMENTS FOR**
17 **INDIVIDUALS WHO INSTALL OR PERFORM MAINTENANCE ON PUBLIC ELECTRIC**
18 **VEHICLE SUPPLY EQUIPMENT; AND**

19 **(6) MINIMUM HOURS OF OPERATION FOR PUBLIC ELECTRIC VEHICLE**
20 **SUPPLY EQUIPMENT AND CUSTOMER SERVICE.**

21 **(C) THE SECRETARY:**

22 **(1) SHALL PROHIBIT THE OWNER OF PUBLIC ELECTRIC VEHICLE**
23 **SUPPLY EQUIPMENT FROM REQUIRING A SUBSCRIPTION OR MEMBERSHIP IN ORDER**
24 **FOR A CONSUMER TO USE THE ELECTRIC VEHICLE SUPPLY EQUIPMENT; AND**

25 **(2) MAY AUTHORIZE THE OWNER OF PUBLIC ELECTRIC VEHICLE**
26 **SUPPLY EQUIPMENT TO OFFER SERVICES ON A SUBSCRIPTION OR MEMBERSHIP**
27 **BASIS.**

28 **11-506.**

29 **THE SECRETARY SHALL DEVELOP PROCEDURES FOR INSPECTING PUBLIC**
30 **ELECTRIC VEHICLE SUPPLY EQUIPMENT WHEN A COMPLAINT IS RECEIVED.**

1 11-507.

2 THE SECRETARY SHALL ESTABLISH A PROCESS FOR THE DECOMMISSIONING
3 OF PUBLIC ELECTRIC VEHICLE SUPPLY EQUIPMENT.

4 11-508.

5 (A) (1) THE SECRETARY SHALL ADOPT REGULATIONS TO IMPLEMENT
6 THIS SUBTITLE.

7 (2) THE REGULATIONS SHALL, TO THE EXTENT PRACTICABLE, BE
8 CONSISTENT WITH:

9 (I) THE NATIONAL ELECTRIC VEHICLE INFRASTRUCTURE
10 FORMULA PROGRAM; AND

11 (II) THE REQUIREMENTS OF SUBTITLE 2 OF THIS TITLE.

12 (B) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE
13 REGULATIONS REQUIRED UNDER SUBSECTION (A) OF THIS SECTION SHALL
14 INCLUDE, AT A MINIMUM:

15 (I) REPORTING AND RELIABILITY STANDARDS FOR PUBLIC
16 ELECTRIC VEHICLE SUPPLY EQUIPMENT THAT ARE CONSISTENT WITH THE
17 REQUIREMENTS OF § 11-504 OF THIS SUBTITLE; AND

18 (II) CONSUMER STANDARDS FOR PUBLIC ELECTRIC VEHICLE
19 SUPPLY EQUIPMENT THAT ARE CONSISTENT WITH § 11-505 OF THIS SUBTITLE.

20 (2) THE RELIABILITY STANDARDS REQUIRED UNDER PARAGRAPH
21 (1)(I) OF THIS SUBSECTION SHALL:

22 (I) ESTABLISH THE METHOD FOR CALCULATING UPTIME; AND

23 (II) REQUIRE AT LEAST 97% UPTIME FOR PUBLIC ELECTRIC
24 VEHICLE SUPPLY EQUIPMENT.

25 11-509.

26 ON OR BEFORE JULY 1 EACH YEAR, BEGINNING IN 2026, THE SECRETARY
27 SHALL COMPILE THE INFORMATION REPORTED UNDER § 11-504 OF THIS SUBTITLE

1 DURING THE PREVIOUS CALENDAR YEAR INTO A SINGLE REPORT AND PROVIDE THE
2 REPORT TO:

3 (1) THE COMPTROLLER;

4 (2) THE PUBLIC SERVICE COMMISSION; AND

5 (3) IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT
6 ARTICLE, THE GENERAL ASSEMBLY.

7 SECTION 2. AND BE IT FURTHER ENACTED, That:

8 (a) On or before December 1, 2025, the Department of Agriculture, in consultation
9 with the Public Service Commission, shall adopt the regulations required to implement this
10 Act.

11 (b) The Department of Agriculture may not require the registration of public
12 electric vehicle supply equipment, as defined in § 11-501 of the Agriculture Article as
13 enacted under Section 1 of this Act, or enforce the provisions of this Act until:

14 (1) for electric vehicle supply equipment placed in service before October 1,
15 2025, October 1, 2026; and

16 (2) for electric vehicle supply equipment placed in service on or after
17 October 1, 2025, January 1, 2026.

18 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July
19 1, 2025.