

HOUSE BILL 1258

I4, M5

5lr2884

By: **Delegates Arikan, Chisholm, Fisher, Grammer, Kipke, M. Morgan, Nawrocki, and Szeliga**

Introduced and read first time: February 7, 2025

Assigned to: Environment and Transportation and Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Consumer Goods – Restrictions Based on Energy Source – Prohibition**
3 **(Energy Equality Act of 2025)**

4 FOR the purpose of prohibiting a local government or unit of State government from
5 restricting the sale, purchase, or use of a certain consumer good solely on the basis
6 of the energy source used to power the consumer good; repealing provisions of law
7 requiring the Department of the Environment to establish and maintain a certain
8 low emissions vehicle program; repealing provisions of law requiring the Department
9 to establish requirements for the sale of new zero-emission medium- and
10 heavy-duty vehicles; applying this Act retroactively; and generally relating to
11 restrictions on the sale, purchase, or use of vehicles and consumer goods based on
12 energy source.

13 BY adding to

14 Article – Commercial Law
15 Section 11-906
16 Annotated Code of Maryland
17 (2013 Replacement Volume and 2024 Supplement)

18 BY repealing

19 Article – Environment
20 Section 2-1101 through 2-1103, 2-1103.1, and 2-1104 through 2-1106 and the
21 subtitle “Subtitle 11. Low Emissions Vehicle Program”
22 Annotated Code of Maryland
23 (2013 Replacement Volume and 2024 Supplement)

24 BY repealing and reenacting, with amendments,

25 Article – Transportation
26 Section 13-110(5) and 13-406(9)
27 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(2020 Replacement Volume and 2024 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 13–406(10)
Annotated Code of Maryland
(2020 Replacement Volume and 2024 Supplement)

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

Article – Commercial Law

11–906.

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

(2) (I) “CONSUMER GOOD” MEANS A GOOD THAT IS INTENDED PRIMARILY FOR PERSONAL, HOUSEHOLD, FAMILY, OR AGRICULTURAL USE.

(II) “CONSUMER GOOD” INCLUDES:

- 1. A MOTOR VEHICLE;**
- 2. AN APPLIANCE; AND**
- 3. ANY OTHER TANGIBLE PRODUCT.**

(3) “ENERGY SOURCE” INCLUDES:

- (I) ELECTRICITY;**
- (II) GASOLINE;**
- (III) NATURAL GAS;**
- (IV) PROPANE; AND**
- (V) ANY OTHER FUEL SOURCE AUTHORIZED UNDER FEDERAL**

LAW.

1 To minimize the administrative impact of the program and to minimize the impact
2 of motor vehicle emissions generated out of state on the air quality of this State, the
3 Department:

4 (1) May adopt California regulations, procedures, and certification data by
5 reference; and

6 (2) May work in cooperation with, and enter into contracts or agreements
7 with, California, other states, and the District of Columbia to administer certification,
8 in-use compliance, inspection, recall, and warranty requirements for the program.]

9 [2-1103.1.

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

11 (2) “Heavy-duty vehicle” means a vehicle with a gross vehicle weight
12 rating equal to or greater than 14,001 pounds.

13 (3) “Medium-duty vehicle” means a vehicle with a gross vehicle weight
14 rating of not less than 8,501 pounds and not more than 14,000 pounds.

15 (b) (1) On or before December 1, 2023, the Department shall adopt regulations
16 establishing requirements for the sale of new zero-emission medium- and heavy-duty
17 vehicles in the State.

18 (2) The regulations adopted under paragraph (1) of this subsection shall:

19 (i) Update existing regulations;

20 (ii) Incorporate by reference the California Air Resources Board’s
21 Advanced Clean Trucks regulations, as revised and updated; and

22 (iii) Subject to subsection (d) of this section, take effect starting with
23 model year 2027.

24 (c) (1) The Department, in consultation with the Department of
25 Transportation, the Department of General Services, the Maryland Energy
26 Administration, and the Public Service Commission, shall prepare a needs assessment and
27 deployment plan relating to the successful implementation of regulations adopted under
28 this section.

29 (2) The needs assessment and deployment plan shall assess and plan for:

30 (i) The additional electrical capacity, transmission, distribution
31 demands, and hydrogen fueling demands that will result from implementation of the
32 regulations, and the ability of the State’s electric utilities, grid, and hydrogen

1 infrastructure to meet those demands, based on publicly available information and existing
2 analyses;

3 (ii) The number of zero-emission medium- and heavy-duty vehicle
4 recharging and refueling stations recommended for implementation of the regulations, and
5 the costs, permitting processes, and timelines for installing those stations;

6 (iii) The purchase incentives and other mechanisms recommended
7 for successful implementation of the regulations, including incentives for recharging and
8 refueling stations and related infrastructure, and the existing and potential sources of
9 funding for those incentives and mechanisms; and

10 (iv) The timeline, economic feasibility, and models available for
11 transitioning medium- and heavy-duty vehicles in the State vehicle fleet, including
12 State-contracted medium- and heavy-duty vehicles, to zero-emission vehicles.

13 (3) On or before December 1, 2024, the Department shall submit the needs
14 assessment and deployment plan to the General Assembly in accordance with § 2-1257 of
15 the State Government Article.

16 (d) The Department may delay implementation of the regulations authorized
17 under this section by one or more model years if, after consulting with the Department of
18 Transportation, the Department of General Services, the Maryland Energy
19 Administration, and the Public Service Commission, the Department determines, based on
20 criteria identified through the needs assessment and deployment plan, that
21 implementation of the regulations is not yet feasible.]

22 [2-1104.

23 (a) Except as otherwise provided in this subtitle, the Administration may not title
24 or register, under Title 13 of the Transportation Article, a new motor vehicle that is subject
25 to the provisions of this subtitle if the motor vehicle does not comply with the provisions of
26 this subtitle or any regulation adopted under this subtitle.

27 (b) Except as otherwise provided in this subtitle, a person may not transfer or
28 attempt to transfer a motor vehicle or motor vehicle engine that is subject to the provisions
29 of this subtitle if the vehicle or engine does not comply with the program.

30 (c) A person may not procure or attempt to procure, through fraud or
31 misrepresentation, the title or registration of a motor vehicle that is subject to the
32 provisions of this subtitle if the vehicle does not comply with the program.

33 (d) The Department, in consultation with the Administration, may adopt
34 regulations to prohibit the transfer of new motor vehicles or motor vehicle engines that are
35 not in compliance with the provisions of this subtitle.]

36 [2-1105.

1 (a) The Department shall, in consultation with the Administration, adopt
2 regulations to exempt motor vehicles from the program.

3 (b) Exemptions established under subsection (a) of this section shall be limited
4 to:

5 (1) Motor vehicles sold for registration out of the State;

6 (2) Motor vehicles sold from a licensed dealer to another licensed dealer;
7 and

8 (3) Motor vehicles that would be exempted from the low emissions vehicle
9 program established under California law.

10 (c) For any motor vehicle exempted under subsection (a) of this section, the
11 Administration shall note the exemption on the title of the motor vehicle.]

12 [2-1106.

13 (a) The enforcement and penalty provisions of Subtitle 6 of this title shall apply
14 to a violation of this subtitle.

15 (b) Each transfer or attempted transfer of a motor vehicle or motor vehicle engine
16 in violation of § 2-1104(b) of this subtitle shall constitute a separate violation of the
17 provisions of this subtitle.]

18 Article – Transportation

19 13-110.

20 The Administration shall refuse to issue a certificate of title of a vehicle if:

21 (5) The Administration has reasonable grounds to believe:

22 (i) That the applicant is not the owner of the vehicle; **OR**

23 (ii) That the issuance of a certificate of title to the applicant would
24 be a fraud against another person[; or

25 (iii) That the vehicle does not comply with Title 2, Subtitle 11 of the
26 Environment Article or any regulation adopted under that subtitle].

27 13-406.

1 The Administration shall refuse to register or transfer the registration of any vehicle
2 if:

3 (9) The Administration has reasonable grounds to believe:

4 (i) That the vehicle is stolen; **OR**

5 (ii) That the grant or transfer of registration would be a fraud
6 against another person; or

7 [(iii) That the vehicle does not comply with Title 2, Subtitle 11 of the
8 Environment Article or any regulations adopted under that subtitle; or]

9 (10) The gross vehicle weight is 55,000 pounds or over and the applicant has
10 failed to furnish proof of payment of the Federal Heavy Vehicle Use Tax.

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to
12 apply retroactively and shall be applied to and interpreted to affect State and local
13 restrictions adopted before the effective date of this Act.

14 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 October 1, 2025.