Maryland Energy Administration

TO: Members, House Economic Matters Committee
FROM: Paul Pinsky - Director, MEA
SUBJECT: HB 834 - Electric Vehicle Charging Infrastructure - Requirements (Electric Vehicle Charging Reliability Act)
DATE: March 2, 2023

MEA Position: Letter of Information

The Maryland Energy Administration (MEA) strongly supports programs and efforts that promote the adoption of zero-emission vehicles (ZEVs) and the equipment needed to support them, such as electric vehicle supply equipment (EVSE), commonly referred to a s EV chargers.

MEA is exceptionally supportive of measures that would increase the deployment of EVSE for multifamily housing developments, as this is considered necessary for deployment available to a significant percentage of the low-to-moderate income population; it should be considered a priority for increasing equity for the deployment of EVSE and the adoption of ZEVs.

However, MEA's review of the bill also revealed concerns with a certain definition and a certain goal within the bill, elucidated below for your information.

The bill offers a fairly straightforward definition of uptime as it relates to the availability of EVSE. However, this may not contemplate the complexities of uptime calculations, and the Zero Emission Electric Vehicle Infrastructure Council (ZEEVIC) has been debating the best way to define uptime in response to these complexities. Last year, the U.S. Department of Energy (DOE) issued a Notice of Proposed Rulemaking that described uptime in greater detail as follows:

> *"Uptime is calculated for the time when a charger's hardware and software are both online and available for use, or in use, and the charging port successfully dispenses electricity as expected. For the purposes of the required minimum uptime calculation, FHWA proposes that charging port uptime must be calculated on a quarterly basis for the previous 12 months. Charging port uptime percentage would be calculated using the equation $\mu = ((8760 - (T\_outage - T\_excluded))/8760) X 100$ where μ = port uptime percentage, T_outage = total hours of outage in previous year, and where T_excluded = total hours of outage in previous year for reasons outside the charging station operator's control, such as electric utility service interruptions, internet or cellular service provider interruptions, and outages caused by the vehicles, provided that the Charging Station Operator can demonstrate that the charging port would otherwise be operational"*

Because of the continued debate on the definition of uptime, and the corresponding percentage requirement once a definition is settled upon, it may be appropriate to permit the Public Service Commission (PSC) broader discretion in the applicable definition and percentage requirements within the EV Pilot Program.

MEA asks that the Committee consider this information before rendering its report.