

March 6, 2024

The Maryland House of Delegates  
Economic Matters Committee  
Room 231  
House Office Building  
Annapolis, MD 21401

Dear Chair Wilson and Vice Chair Crosby:

The undersigned electric vehicle charging service providers (EVSPs) appreciate the opportunity to provide comments on HB1028.

We applaud the state of Maryland for their ambitious goals that will support the transition to a cleaner transportation sector. The combination of The Maryland Climate Pollution Reduction Plan goals to achieve 60% climate pollution reductions by 2031 and be on track to net zero emissions by 2045, plus the adoption of Advanced Clean Cars II<sup>1</sup> (ACC II) last year puts Maryland in a position to be a national leader on reducing greenhouse gas emission and advancing the adoption of zero emission vehicles and related charging infrastructure.

However, while well-intentioned, **as drafted, the bill will discourage charger installation growth in Maryland**, and warrants further stakeholder discussion. Because of the myriad of confusing regulatory issues in this bill, including misalignment in instances with the Federal Highway Administration's (FHWA) national technical minimum standards under the National Electric Vehicle Infrastructure (NEVI) Program, we are taking an unfavorable position and request an unfavorable report from the Committee.

According to the Alternative Fuels Data Center, Maryland has just over 1,600 chargers and given the zero emission vehicle goals that the state has committed to, there will be a need for many more chargers to allow drivers to charge at home, work, and on the go. We look forward to working collaboratively in partnership with the state to help Maryland reach its ambitious goals for ZEV adoption and respectfully submit the below comments.

#### **Regulations for Publicly Funded EV Charging Stations**

We recognize the need for more harmony on technical standards and requirements for state funded electric vehicle service equipment (EVSE) grant programs and encourage the state to consider many different aspects of the regulations in this bill when crafting that program. As an example, grants administered by the Maryland Energy Administration have eligibility requirements, and the federally funded NEVI RFP released in Maryland has specific guidelines on charger power level, location requirements, uptime reporting, payment methods, and other important standards to be followed.

We understand Maryland crafting regulations and guidelines for publicly funded EV charging programs that use taxpayers' dollars. Those standards should be crafted to align with program and state policy goals that will allow for Maryland to meet its ZEV adoption goals, like ACC II, and provide a clear roadmap with opportunities for stakeholder input. As an industry, we support increased standardization

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<sup>1</sup> <https://mde.maryland.gov/programs/air/MobileSources/Pages/Clean-Energy-and-Cars.aspx>

of technical requirements and request further opportunities for stakeholder input before such a sweeping bill is to be passed and promulgated.

### **HB1028**

HB1028, as drafted, goes well beyond enacting regulations or standards for publicly funded stations and proposes regulations on ALL chargers installed in Maryland starting in January 2025, except for “noncommercial,” chargers which are not defined. In addition, there is a provision at the end of the bill that would apply all the regulations retroactively to stations already installed in Maryland. It is impractical for every station to be retrofitted to meet the regulations proposed, financially and operationally, risking existing chargers that drivers rely on today being prematurely taken out of service before the end of their useful life. Further, there are major concerns that over prescribing requirements including minimum power levels and requiring certain certifications to install or repair stations, without a robust stakeholder process, could inhibit deployment in the state.

This bill, as drafted, covers 17 different regulations and standards for EV charging in Maryland that would be applied to all stations in the future and retroactively. The regulations range from a minimum power level of chargers installed to various labeling requirements on the stations, to a real time data requirement with no guardrails on private competitively sensitive information, such as utilization, and other unclear language around specific certifications to install and repair chargers. Each of these topics deserves a robust dialogue between the State and the industry to better understand each other’s perspectives and capabilities. For example, the State may be interested to know that much of the data outlined in this bill is already provided through various EVSP mobile applications available to drivers along with free, publicly available resources to EV drivers, like the federal Alternative Fuels Data Center<sup>2</sup>. As a result, we believe this bill should not duplicate existing data reporting requirements provided through multiple public platforms. This is only one example pointing out the need for more robust stakeholder engagement.

In conclusion, we thank the Committee for the opportunity to provide these comments on HB1028 and look forward to working with you on ways to support reliable and equitable EV charging for the state through both publicly funded and privately funded stations. The undersigned organizations welcome a robust stakeholder process to set more consistency across charging stations for EV drivers in Maryland, and we are hopeful that the Committee will consider our input before making any final decision on how EV chargers should be designed and deployed in Maryland moving forward. Please do not hesitate to contact us if you have any questions.

Sincerely,

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<sup>2</sup> <https://afdc.energy.gov/stations/#/find/nearest>

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