

February 18, 2025

The Maryland Senate
Education, Energy and the Environment Committee
2 West Miller Senate Office Building
Annapolis, MD 21401

Dear Chair Feldman and Vice Chair Kagan:

ChargePoint appreciates the opportunity to provide comments on SB913, which is related to various regulations, standards, and requirements for electric vehicle (EV) charging stations.

By way of background, ChargePoint is a market leader in EV charging and has helped pioneer networked fueling, offering one of the industry's most comprehensive portfolios of hardware, software and services for commercial, fleet, and residential customers. We have enabled more than 330,000 places to charge in North America and Europe, and through the ChargePoint app, a driver can find over 800,000 places around the world to charge through our roaming integration with other networks. In Maryland alone, there are over 1,000 ports on our network owned by a variety of customers including, but not limited to retailers, cities, utilities, and hotels.

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 II¹ (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. According to the Alternative Fuels Data Center, Maryland has just over 4,000 public charging ports, 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.

SB913, while well-intentioned, as drafted, will discourage charger installation growth, deter private investment in charging, and cost the state millions of dollars to implement. Because of this, we are taking a position of favorable if amended and have outlined various amendments below that we think will streamline the requirements and timelines and reduce costs for the state to implement while keeping consumers protected.

NIST Handbook 44 for EV Charging Stations (Sections 501-503)

ChargePoint supports the state's enforcement of NIST Handbook 44, which creates a national standard for pricing transparency and meter accuracy for EV chargers. ChargePoint has helped to shape Handbook 44, and we are very confident in our meter accuracy. While the national rules are still nascent and states have various implementation challenges to work through, we are ready to support MDA to get its program started.

With that said, we believe SB913 should be amended to include two important changes related specifically Section 501 and 502, which cover Handbook 44 implementation:

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

1. The definition of private shared chargers in Section 501 should be amended to include those chargers that charge a fee, which may include chargers at a multiunit dwelling or in a workplace setting. Private chargers in a multiunit dwelling will be critical for drivers who do not have access to a home charger, and applying those chargers to the Handbook 44 requirements will raise costs for property owners and those who do not live in single family homes. Test equipment to enforce metering standards of Handbook 44 runs \$50,000-\$100,000 per unit. Considering limited testing resources, the number of chargers, and the expected continued growth of new chargers, it makes sense to focus enforcement resources on publicly accessible chargers only. The states of VT, NY, and TX have all exempted pay per use private chargers from Handbook 44 enforcement and we believe Maryland should follow that as a best practice.
2. The enforcement date of October 2025 in Section 502 is unrealistic. We propose deferment to MDA on when implementation and enforcement of the program should begin. They will know best once they have staff and other resources in a place when it is appropriate to begin enforcement. If implementation of this program is rushed and underfunded, we put the consumer even more at risk.

Uptime Reporting Standards and Penalties for All Public Chargers in Maryland (Sections 504 and 505)

SB913, as drafted, proposes uptime reporting standards on all public chargers installed in Maryland, penalties for those that are publicly funded, and tasks MDA to create said uptime standard, which may or may not align with the uptime standard in the NEVI guidance. Many other states have implemented uptime reporting standards for stations installed partially or in whole by taxpayer dollars. We recognize that companies should be held accountable for public funds and those chargers should provide reliable experience for drivers. ChargePoint is supportive of uptime reporting standards on a go forward basis for publicly funded chargers and believes the bill should be amended to reflect that in the following ways:

1. The definition of “public funds” in Section 501 should be changed to include charging stations and read as “publicly funded publicly available charging stations” and those stations should be required to meet an uptime reporting standard. This is in line with how other states including NY, CA, and NJ have implemented uptime reporting standards.
2. Any uptime standard the state implements should align with the NEVI uptime definition and formula for uptime. We firmly believe that now is not the time for states to create a patchwork of uptime reporting standards. This will raise unnecessary costs and cause confusion for site hosts, many of which are Maryland businesses like retailers, cities, and hotels. The Maryland Department of Transportation is leading the NEVI program and using the uptime standard set forth in that guidance. Creating another uptime standard would mean that some public chargers in Maryland would use the NEVI uptime guidance and others could use a different standard. This is not helpful for anyone involved. Section 504 should be amended to align the uptime standards in Maryland with the NEVI definition of uptime and formula for uptime, excluded downtime, and reporting mechanisms. If the state wants to revisit this standard after ample data has been collected and then change it, they should be applied to do so. However, for now, one standard and reporting mechanism is sufficient.

It’s critical to keep in mind that MDA estimated it will need \$2 million in upfront costs to implement uptime reporting standards for all stations and a yearly budget of an additional \$1 million. If the state

wants to implement consumer protection standards another option is to start with implementation of Handbook 44 and then decide if additional uptime standards are needed. According to MDA, the cost to implement Handbook 44 itself is much lower than creating an uptime reporting program.²

Additional Consumer Standards (Section 508)

Section 508 outlines additional consumer standards for all public charging stations to be set by MDA and the PSC. While we think many of these have merit, we recommend that they also be applied specifically to publicly funded stations as the state sees necessary. The reality is that many public chargers already have existing standard payment options for drivers, have been installed safely by licensed electricians and are providing real time data through mobile apps. If the state wants to move forward by discussing these consumer standards in more detail and understanding the best practices, we suggest amending the language to include a working group composed of MDA, PSC, EV drives, and the private sector to discuss the goals further before any final decision or requirements are made in statute.

In conclusion, we thank the Committee for the opportunity to provide comments on SB913 and look forward to working with you and the sponsors of the bill on amendments that balance consumer protection with industry's existing best practices. We believe ChargePoint and the state share the goals of protecting the consumer and creating reliable charging experience for EV drivers, and we need to work together to figure out how to do that in a way that keep costs down for Maryland taxpayers and take into consideration the important nuances to various regulations in this bill. Please do not hesitate to contact me if you have any questions.

Sincerely,

Emily Kelly
Senior Manager, Public Policy
ChargePoint

² <https://www.psc.state.md.us/wp-content/uploads/EVSE-Report-Final-11-1-24.pdf>