



National Electrical Manufacturers Association
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Written Testimony of the National Electrical Manufacturers Association (NEMA)
House Bill 1039: Department of Agriculture – Public Electric Vehicle Supply Equipment – Registration, Regulation, and Oversight

Dear House Environment and Transportation Committee:

The National Electrical Manufacturers Association (“NEMA”), on behalf of its members, respectfully submits the following written testimony on Maryland House Bill 1039 concerning the Department of Agriculture Registration, Regulation, and Oversight of Public Electric Vehicle Supply Equipment.

About NEMA

NEMA represents over 300 electrical equipment manufacturers that make safe, reliable, and efficient products and systems. Together, our members contribute 1% of U.S. GDP and directly provide nearly 460,000 American jobs, contributing more than \$250 billion to the U.S. economy. Our members produce goods for the grid, industrial, built environment, and mobility sectors. The electroindustry is a key driver of infrastructure development and future economic growth. NEMA members are leading producers of equipment for the mobility market, including electric vehicle (“EV”) chargers and charging infrastructure, motors, inverters, and power control and distribution components.¹

NEMA’s Electric Vehicle Charging Equipment Manufacturers represents companies that are currently selling, manufacturing, and operating in North America. Electric vehicle charging infrastructure is not comprised of hardware alone. Rather, it represents a combination of hardware, software, cables and cable management, and analytics integrated into a network that delivers energy safely, reliably, and efficiently to a vehicle.

NEMA is strongly in favor of the efforts to deploy and sustain a nationwide electric vehicle charging infrastructure to support the increasing number of consumers who are choosing EVs. This deployment should strive towards standardization and interoperability and allow for communication and coordination between the vehicle, the charging station, and grid operator to maximize the benefit and convenience for vehicle owners, while not putting undue stress on the distribution system.

NEMA recognizes and supports the increased focus across states to provide uniformity in respective weights & measures laws, regulations, and standards to achieve equity between buyers and sellers in the marketplace and how this applies to public EV charging infrastructure. NEMA has been an active participant in the ongoing development and maintenance of the NIST Handbook 44: Specifications, Tolerances, and Other Technical Requirements for Weighing and Measuring Devices.

¹ Additional information about NEMA may be found at <https://www.nema.org/>.

General Comments

NEMA is supportive of the Maryland Department of Agriculture establishing a program to test the weight and measure of public electric vehicle supply equipment and ensure the equipment conforms to certain standards. Best practices for implementing these have already been identified in the NIST Handbook 44 which sets a national standard for ensuring accuracy and transparency of EV charging commercial transactions. Many other states have adopted the Handbook and some, including California, Vermont, Texas, and Michigan, have started to train staff to enforce Handbook 44.

NEMA is offering here are a few specific recommendations on the proposed bill text for the Maryland Department of Agriculture (MDA) to consider as it develops its program.

The definition of private shared chargers should be amended to include chargers that are limited to exclusive use by certain individuals such as residents or employees.

NIST Handbook 44, Section 3.40 is clear that only EVSEs used in commercial applications are subject to the regulation. All charging stations unavailable to the public, including residential and workplace chargers, and private shared chargers, should not be considered commercial applications in Maryland and should be exempt from any EVSE rules.

This important distinction will allow MDA to focus their resources on enforcement for publicly available stations. Also, as shared private Level 2 chargers are critical to unlock EV adoption for drivers who don't live in single family homes, these additional requirements could create regulatory burden in these harder-to-reach segments potentially discouraging adoption.

Uptime reporting should not be applied to privately funded chargers.

Section 504, 505, and 508 establish reliability/reporting requirements and consumer standards that EVSE must follow to operate in the state of Maryland. NEMA understands the intent behind this requirement in providing EV driver consistency but has concerns regarding the application to privately funded chargers.

NEMA agrees that these requirements have value when focused on publicly available chargers on a going forward basis. However, some of the Maryland standard requirements are duplicative of those already described in national standards such as NIST Handbook 44. That Handbook already provides standards for price transparency, and device power output labeling information.

NEMA agrees that information like date placed in service, power output, and number of output ports are reportable and would likely align with MDA's existing process for placing devices into service. However, reporting requirements like uptime percentages and pricing information would need to be updated regularly in order to have any meaningful value and this places an extreme burden on both the implementing agency and equipment providers. NEMA questions how centralizing this type of information would provide any direct value to EV drivers.

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With respect to public charger uptime reporting requirements NEMA is aware that California has been developing similar regulations for over two years which have still not been finalized due to their complexity. Uptime reporting requirements for privately funded chargers have not been proposed in California and we encourage Maryland to focus its oversight on publicly funded chargers to ensure chargers built with state funds meet driver expectations for performance.

Conclusion

NEMA respectfully requests consideration of our recommendations as this bill progresses, and we look forward to working with the MDA to ensure its effective implementation. Should you have any questions or need any additional information, please contact me at (703) 307-7847 or steve.griffith@nema.org.

Sincerely,

Steve Griffith
Executive Director, Regulatory & Industry Affairs, Mobility