



Position Paper on [Maryland Senate Bill 913 / House Bill 1039 \(2025\)](#)

Overview

SB 913 / HB 1039 will, if enacted:

- Impose burdensome costs on Maryland's business community, including small businesses and homeowners' associations;
- Reduce the number of EV chargers and reduce the number of electric vehicle miles driven;
- Slow the transition from gasoline to electricity for driving;
- Impose unnecessary enforcement costs on the state at a time of budgetary stress;
- Increase the cost of servicing and maintaining EV charging infrastructure;
- Exacerbate charger outages by diminishing the pool of eligible technicians;
- Open the door to additional taxation on EV drivers, thereby increasing costs to EV drivers;
- Provide little to no meaningful consumer benefit;
- Position Maryland as one of the least friendly states in the region for building out and operating EV charging infrastructure for businesses and host sites; and
- Run counter to the principles of balanced regulation that both protects consumers (EV drivers) and infrastructure owners and is not consistent with Maryland's public policy goals in climate, clean energy, and clean transportation.

In summation, the bill should be rejected and the Department of Agriculture should be directed to refrain from enforcing NIST Handbook 44 as it relates to EV charging.

Discussion

EV chargers fall into two broad categories (specifications vary but these are relatively common):

	Level 2	DC Fast
Power type	Alternating current	Direct current
Power level (typical)	7.2 kW	150 kW
Miles delivered per hour	~ 25	~ 250
Cost per port (EVSE only)	\$1,500 to \$3,000	\$75,000 to \$150,000
Typical session length	Medium/long-term (>30 min)	Short (<30 minutes)
Ownership	Site host (e.g., retail, office, apartment, hotel)	National network (e.g., Electrify America, EVgo, Tesla)
Typical cost per 30 min.	\$1	\$25

Level 2 chargers should be exempt

Our objection to SB 913 / HB 1039 centers on the bill's application to Level 2 chargers, although we believe the requirements on DC Fast are also premature given the nascent state of the market. The motivation behind the bill appears to be predicated on a belief that EV chargers are in poor disrepair and are owned and operated by large companies with deep financial resources who neglect their assets.

We recognize that in this early period of EV charger deployment there are growing pains. But the charging infrastructure ecosystem, particularly Level 2, is not a centrally-owned network by one company but instead dispersed among many sites and different owner-operators. While chargers may bear the name of a larger network, in fact full responsibility for the charger is with the landlord

or “site host” in the industry vernacular. The vast majority of EV chargers are installed and maintained by local retailers and landlords for the convenience of their customers. Site hosts do their best to provide superior service; while there is room for improvement, the answer is to let the market evolve organically and not impose a regulatory regime which is burdensome, expensive, intrusive, and ultimately will be counter-productive by deterring rather than promoting good infrastructure.

Marylanders who will be most affected have not been consulted

Critical stakeholders, specifically commercial real estate owners and small businesses who pay the bills for EV chargers, as well as electrical service contractors who would face new training and hardware costs, were absent from the multiagency workgroup which gave rise to SB 913 / HB 1039.

These businesses, many of them small and with no expertise in EV charging and lacking resources necessary to comply with the burdensome requirements of the bill, voluntarily have invested in EV chargers for their customers’ convenience and to support Maryland’s decarbonization goals.

The cost to purchase and install a Level 2 charger in a commercial or multifamily setting typically ranges from \$3,000 to \$6,000 per port. For the most part, chargers are not profitable and after installation continue to incur monthly fees such as those required to accept payment and for service and maintenance. While we anticipate Level 2 chargers becoming profitable as the industry matures and EV sales continue to increase, most EV charging providers are not generally profitable today. Placing additional costs on both the services providers and the site hosts at this nascent stage of development would undeniably have a negative impact on its development. Some of these costs will include additional state registration fees, the cost of hiring specialized technicians or Registered Service Agents as the Department of Agriculture proposes, and the associated time and resources devoted to compliance with such regulations per SB 913 / HB 1039. This could not only deter the installation of new Level 2 and DC fast charging station but may result in the removal of existing, likely underutilized yet important Level 2 chargers. We illustrate the difficult economics of a public charging focused on a typical Level 2 charger in the following table:

Monthly Revenue	kWh / hour	6
	Hours / day	2
	Total kWh	360
	Margin / kWh	\$ 0.10
	Total margin	\$ 36.00
Monthly Costs	Networking fee	\$ (25.00)
	Maintenance plan	\$ (30.00)
Monthly Net	Profit (Loss)	\$ (19.00)

Enforcement costs are disproportionate to the benefits

- Section 11-503 directs the Secretary of Agriculture to establish a program to test the weight and measure of EV chargers consistent with NIST Handbook 44.
- EV charger meters are not designed to be field-adjustable, therefore applying the same process as for traditional devices is not logical. California, for example, recognizes this and is developing a process for EVSE meters to be tested and certified long before being installed and placed into service. This change recognizes the need to treat EV chargers differently from the measuring devices used by gas pumps and grocery store scales.
- Based on a survey of five state agencies in the workgroup established by the PSC, enforcement is projected to cost between \$1,000,000 and \$3,000,000 to start-up, and

between \$600,000 and \$1,700,000 per year to maintain. We note that the agency most likely to be tasked with enforcement, the Department of Agriculture, projects both the highest start-up costs (\$2,000,000) and the highest annual recurring costs (\$1,700,000).

- According to the U.S. Department of Energy's Alternative Fueling Station Locator, there are 3,290 Level 2 charging ports spread across 1,309 locations in Maryland. Assuming each charger is inspected every three years, the annual enforcement cost will be \$1,824 per port.
- According to CLEARResults' EV Watts dashboard, in the Middle Atlantic region the average utilization for a public Level 2 port is 0.45 times per day for 3 hours. Assuming the driver pays \$0.25/kWh, each charger will collect a total of about \$862 per year.
- **Maryland will be spending \$1,824 to inspect a Level 2 charger which collects a total of only \$862 per year. Even if a charger is miscalibrated by 10 percent, which is far outside the expected tolerance (and there is no evidence of this happening), the error would be around \$85. We do not believe this justifies the spending of nearly \$2,000.**

Numerous requirements of SB 913 / HB 1039 are burdensome and inappropriate

Section 11-504 directs the Secretary and the Public Service Commission to develop reporting requirements and Section 11-505 would establish "consumer standards." We note first that the price of EV charging is explicitly excluded from jurisdiction on rate regulation by the Public Service Commission as is true in most states in the country (although rates and terms are regulated by the Commission where the regulated utility owns and operates EV chargers). Therefore, since it is generally regarded as a competitive business, the regulatory framework is generally considered to be more "light-touch" and focused on issues such as full disclosure and deceptive marketing practices. At a more practical level, however, the consumer is generally considered to have choices to move from one provider to another if not satisfied with the level of service. Accordingly, we don't believe that the bill's "consumer standards," and burdensome reporting requirements should be applied to site hosts or EV service providers operating in the private sector.

We reiterate that Level 2 site hosts' main business is not EV charging; instead, in most cases, they offer this as an amenity to customers. To the extent any regulatory burden is imposed on site hosts, this will act as a deterrent to more chargers being deployed. Moreover, we question the appropriateness of imposing reliability and other requirements for a service which private businesses offer voluntarily and which continues to evolve rapidly. It should be noted that Maryland businesses cannot simply shift the burdens of SB 913 / HB 1039 to network operators; multiple EV charging networks have shut down in recent months and now is not the time to impose additional burdens on this struggling industry. In any event, the state has no compelling need for this information which justifies the burden.

Conclusion

To be clear, ATE supports clear and robust requirements for the safety and reliability of public EV charging, as well as consumer protection standards. But such standards and requirements must be crafted in a balanced and reasonable way that recognize the nascent development of this industry as well as the ambitious climate and energy goals of Maryland.

If the General Assembly desires for Maryland to be an EV-friendly state, promote infrastructure, and promote important beneficial electrification and carbon reduction, we urge the rejection of SB 913 / HB 1039 and further propose that the Department of Agriculture be prohibited from enforcing the EV charging provisions of NIST Handbook 44.