



Maryland Department of Agriculture

Office of the Secretary

Wes Moore, Governor

Aruna Miller, Lt. Governor

Kevin Atticks, Secretary

Steven A. Connelly, Deputy Secretary

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Industry

The Wayne A. Cawley, Jr. Building

50 Harry S Truman Parkway

Annapolis, Maryland 21401

mda.maryland.gov

410.841.5885 Baltimore/Washington

410.841.5846 Fax

Maryland Department of Agriculture

Legislative Comment

DATE: February 18, 2025

BILL NUMBER: SB 913/HB 1039

SHORT TITLE: Department of Agriculture - Public Electric Vehicle Supply Equipment -
Registration, Regulation, and Oversight

MDA POSITION: FAVORABLE WITH AMENDMENTS

This legislation requires the Maryland Department of Agriculture (MDA) to require registration by owner/operator of public electric vehicle supply equipment. It establishes within the Weights and Measures (W&M) division of MDA a program specifically for the testing of specifications of public electric vehicle charging stations.

The MDA through its W&M unit regulates and inspects various devices in our State for consumer protection. We follow National Institute of Standards and Technology (NIST) standards for weights and measures devices. Across the U.S., State Departments of Agriculture have W&M divisions tasked with this responsibility. MDA W&M regulates weighing and measuring devices, instruments, elements, and systems, used or employed in establishing the measurement or in computing any basic charge or payment for services rendered on the basis of weight or measure.

Devices that are used in commercial transaction currently regulated by MDA W&M include retail motor fuel devices (gas pumps), bulk motor fuel devices (fuel trucks and loading racks), liquified petroleum gas meters (vehicle mounted and stationary propane meters), grain moisture meters, small, medium, large capacity scales, vehicle scales, belt conveyor scales, rail scales, and point of sale software.

NIST Handbook 44 Section 3.40. Electric Vehicle Fueling Systems sets the standards for EVFS chargers. This section sets the application, specifications, test procedures, tolerances, and user requirements for EVFS chargers. Since Maryland adopts NIST Handbook 44 by reference in statute, the standards set forth in Section 3.40. are the standards that MDA W&M will enforce.

MDA W&M will inspect and certify EVFS chargers to ensure the device is accurate and correct and will conduct investigations in response to consumer complaints. Registration of the EVFS chargers will be required to offset the costs associated with testing and inspecting these devices, as W&M is entirely specially funded, there is no general fund appropriation for the program.

MDA has met with the bill sponsor and proposed amendments that will continue to allow MDA W&M to have jurisdiction on the registration, specifications, tolerances, and user requirements for commercial EVFS chargers. The amendments alter the bill to specify that the PSC shall establish consumer protection standards for public EV charging stations, and that the PSC in coordination with MDA shall establish reliability and uptime reporting standards, among other things. They would require the PSC to establish training and certification standards for persons who install or perform maintenance on EV chargers. Lastly, the amendments require MDOT and the PSC to coordinate with MDA to provide reporting on NEVI funding.

MDA respectfully requests a favorable report with the above amendments.

If you have additional questions, please contact Rachel Jones, Director of Government Relations, at rachel.jones2@maryland.gov or 410-841-5886.