



February 18, 2025
Maryland General Assembly
Committee on Environment and Transportation
250 Taylor House Office Building
Annapolis, Maryland 21401

Chair Korman and Vice Chair Boyce,

Electrify America appreciates the opportunity to submit testimony on House Bill 1039, creating a regulatory framework for registering electric vehicle supply equipment (EVSE) with the state and ensuring that the equipment conforms to certain standards. Briefly about Electrify America, we are owner-operators of one of the largest networks of fast charging infrastructure in the country. We have over 900 stations and 4000 direct current fast chargers (DCFC) across 47 states and DC. And in Maryland, we have almost 20 stations and 100 chargers with more underway. Electrify America understands the intent behind this legislation but is concerned that it is premature and, as written, could repel private investment in charging infrastructure in Maryland. Therefore, we submit these comments with two recommendations: 1) that any charger-registration framework allow a station to operate if the delay in completing a registration is due to inaction on the state's part and 2) that any penalty or enforcement action regulating reliability apply only to stations funded by state dollars.

With respect to registering DCFC stations with the state, Electrify America generally has no objection to registering basic information—like location, number of ports, power levels, and connector-types—with the relevant state agency or subjecting the stations to weights and measures verifications. However, our concern with the inspection requirement is the potential for it to delay the commissioning of a station that is otherwise ready to enter service. In jurisdictions that have implemented similar requirements before a station can begin service, lack of know-how or the equipment necessary to perform the inspection significantly prolonged completing the registration process and, thus, delayed the station's commissioning. So, we are concerned about the potential for a station that is ready and capable of beginning service being prohibited from doing so because the state must still inspect it. This industry being in its nascency, the economics are precarious, especially in Maryland where utility tariffs erode profitability. So, a station being offline indefinitely, unable to service vehicles, and waiting for the state to perform an inspection can significantly injure that station's economic viability.

Similarly, setting and enforcing reliability standards on stations financed with private dollars is premature, punishes early-innovators, and will significantly disincentivize investment in DCFC infrastructure in Maryland. To reiterate, this industry is still young; the economic and, as of recent, political realities in which the industry exists remain uncertain. With support for charging infrastructure at the federal level wavering, charging providers are looking to states to foster stable and attractive regulatory environments in which to invest in charging infrastructure. This



bill does the opposite. By potentially subjecting private investment to enforcement and penalties, this bill renders investment in Maryland a liability rather than an opportunity. When incentive monies are made available by the state to support the construction of chargers, the state has an obligation to its residents to ensure the effectiveness of taxpayer dollars. But, in the case of HB1039, purely private investment may be subjected to financial penalties.

Electrify America understands the intent behind this legislation and the sentiment among policymakers that the state could be doing more to enhance the charging experience for the EV driver. We share that goal, ourselves. But subjecting private investment to enforcement and penalties may be an overreach and counterproductive.

Many challenges to the driver-experience at a fast charger can be attributed to aging equipment. As such Electrify America has been undertaking an aggressive campaign to replace legacy hardware, some dating back to 2018, with our “Gen IV” chargers, today’s newest model of equipment. And this is demonstrating to be effective; user sentiment of the Electrify America network, as captured by PlugShare and JD Power, has improved over the last year driven largely by our Gen IV chargers comprising a larger and larger portion of our network’s infrastructure. We understand that the worst advertisement for driving an EV and choosing the Electrify America network is an unreliable charger which is why we are working diligently to replace aging infrastructure to elevate the experience of our users.

Electrify America appreciates the opportunity to submit these comments. In general, we understand the state’s desire to take a more active role in assuring that the state has a robust and reliable network of fast charging infrastructure. However, we caution against adopting an inflexible and punitive regulatory framework as doing so is likely to harm the existing network and disincentivize future, private-sector investment in electric vehicle supply equipment in Maryland.

To enable such flexibility, we recommend a provision allowing a station to operate if the actions necessary to complete the registration are those of the state. The intent here is to avoid a station sitting idle, while it awaits inspection and approval, when it is capable of providing charging services. And to avoid disincentivizing private investment in charging infrastructure, Electrify America recommends limiting enforcement of uptime standards to stations financed by state dollars.

Respectfully submitted,

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