

HB 649 — Electric Vehicle Fuel Sold at Retail – Equipment Requirements, Units of Measure, Sales Price, and Fees

Position: **Unfavorable**

March 3, 2026

The Honorable Brian J. Feldman
Chair, Education, Energy and the Environment Committee
Senate Office Building
Annapolis, MD 21401

Chair Feldman, Vice Chair Kagan, and Members of the Committee:

I am writing to respectfully urge an unfavorable report on Senate Bill 649. While I appreciate the intent to ensure compliance with Weights and Measures specifications, this legislation is largely redundant with existing law and risks creating long term regulatory conflicts that could harm consumers and affect state revenue.

The core provisions of this bill regarding the display of contact information and the mandatory sale of electricity in kilowatt hour (kWh) units are already incorporated into Maryland law. Under Agriculture Article 11-207.1, the state has already adopted NIST Handbook 44. Codifying certain technical excerpts from the handbook into the Maryland Code would create a rigid system. If the National Conference on Weights and Measures updates these standards in the future, Maryland will be left with a statutory conflict where state law says one thing while the updated national standards say another. It is more efficient to allow the existing standards referenced in the Agriculture Article to handle these technical evolutions.

My experience as a consumer suggests that this bill does not actually close the technical gaps it seeks to address. I have been in communication with the Maryland Department of Agriculture Weights and Measures Division regarding charging stations that technically comply with the kilowatt hour requirement while effectively evading it. In one instance, a station in Germantown was investigated by Weights and Measures and found to be in compliance despite charging \$0.00/kWh for energy while charging \$2.00/Hour for "parking." This practice is currently allowed under NIST Handbook specifications, and SB 649 continues to permit these separate ancillary fees as long as a price per kWh is displayed, even if that displayed price is zero (\$0.00/kWh).

I also bring to your attention that this fee structure may have tax revenue implications for the state. The sale of electricity for EV charging is subject to Maryland's 6% sales and use tax, but parking fees typically are not. By codifying a system that allows operators to mask the cost of electricity at public charging stations as a parking fee, the state may be unintentionally reducing its own taxable revenue. I have brought these concerns to the Comptroller's Office, and they are currently investigating the matter.

Rather than locking these technical details into state law, I believe the state should rely on the flexible framework already provided by the Agriculture Article. If the Department of Agriculture wishes to close this loophole in the NIST Handbooks, they should address the issue by submitting a formal petition to the National Conference on Weights and Measures to amend the national standards. Fixing this at the source level will allow Maryland to remain consistent with the national standards without the need for redundant legislation.

For these reasons, I request an **unfavorable** report on Senate Bill 649.

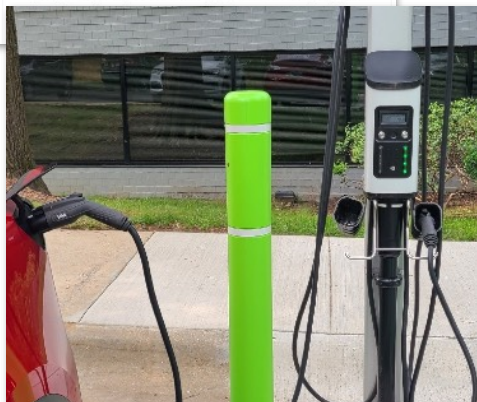
Respectfully submitted,



Lanny Hartmann
Columbia, Maryland

In Compliance (\$0.00/kWh)

Charge Rate	
Energy - Time-Of-Day 12:00 AM - 12:00 AM	\$0.00/kWh
Parking - Duration	
0 - 2 Hours	\$2.00/Hour
2 - 24 Hours	\$4.00/Hour
Start Fee	\$0.49/Session
Notes	
- Energy fee is applied while your vehicle is receiving energy.	
- Parking fee is applied when your vehicle is charging and/or until you physically unplug it.	



Germantown, MD

Non Compliant (Time only)

Price	
Price set by Oracle - Columbia	
Station Time Rate	
First 5 hours	\$1.00/hr
Thereafter	\$5.00/hr
Taxes and Fees	
6% MD State Parking Tax	
6% MD State Overstay Tax	



Columbia, MD