

**HB969 MDA FWA.pdf**

Uploaded by: Harrison Palmer

Position: FWA



# Maryland Department of Agriculture

Office of the Secretary

Wes Moore, Governor

Aruna Miller, Lt. Governor

Kevin Atticks, Secretary

Steven A. Connelly, Deputy Secretary

Agriculture | Maryland's Leading  
Industry

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## Maryland Department of Agriculture

### Legislative Comment

Date: February 17th, 2026

**BILL NUMBER:** House Bill 969  
**BILL TITLE:** Electric Vehicle Fuel Sold at Retail - Equipment Requirements, Units of Measure, Sales Price, and Fees  
**MDA POSITION:** SUPPORT WITH AMENDMENTS

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The Maryland Department of Agriculture (MDA) respectfully submits this letter in support of *House Bill 969 - Electric Vehicle Fuel Sold at Retail - Equipment Requirements, Units of Measure, Sales Price, and Fees*, with amendments.

This legislation establishes a clear and uniform method of sale for electricity used as vehicle fuel, requires proper marking of electric vehicle supply equipment (EVSE), and sets a minimum price per kilowatt hour to ensure transparent and equitable retail transactions for consumers. The marking requirements outlined in this bill are consistent with the user requirements contained in the National Institute of Standards and Technology (NIST) Handbook 44 under the Electric Vehicle Fueling Systems Code. These requirements ensure that the responsible party for a charging station is clearly identified and accessible. This information is critical for consumers reporting service or billing issues, inspectors addressing violations and taking enforcement action, and emergency responders who may need immediate contact information at a charging location.

The recognized national method of sale for electricity used as vehicle fuel, as outlined in NIST Handbook 130, is “per kilowatt hour.” This bill directly adopts that established method into Maryland law. Over the past year, Weights and Measures inspectors have observed an increasing number of EVSE operators setting the price per kilowatt hour at zero dollars while imposing significantly higher time-based fees. In some cases, kilowatt hour pricing is not displayed at all. These practices undermine transparency and conflict with the intent of weights and measures law. The purpose of establishing a uniform method of sale for commodities is to provide consumers with a clear and reasonable basis for price comparison. While current law does not regulate the price set per kilowatt hour, and does not prohibit giving electricity away at no cost, establishing a minimum price per kilowatt hour ensures that the commodity itself, not parking

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time, remains the basis of the transaction. Electric vehicle owners are fueling their vehicles, not renting parking spaces.

MDA recognizes that the Comptroller's office may not be the appropriate lead for setting a minimum price, and the Department recommends that the bill be amended to reflect that all electrical energy kept, offered, or exposed for sale and sold as a retail vehicle fuel shall be sold and priced in terms of kilowatt-hour during the charging session and in no case shall be priced to have no monetary value when other fees are present.

For these reasons, MDA supports HB 969 and respectfully requests the consideration of the amendments as provided. MDA appreciates the consideration of the above information in the Committee's deliberations.

# **HB0969 - FWA - Electric Vehicle Fuel Sold at Retail**

Uploaded by: Megan Outten

Position: FWA



# Maryland Energy Administration

**TO:** Chair Korman, Vice Chair Guyton, and Members of the Environment & Transportation Committee

**FROM:** MEA

**SUBJECT:** HB 949 - Electric Vehicle Fuel Sold at Retail - Equipment Requirements, Units of Measure, Sales Price, and Fees

**DATE:** February 27, 2026

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## **MEA Position: FAVORABLE WITH AMENDMENTS**

The Maryland Energy Administration (MEA) respectfully submits this letter of support with amendments for House Bill 969.

HB 969 establishes important consumer protections and transparency requirements for the retail sale of electricity as a vehicle fuel. As Maryland continues to accelerate electric vehicle (EV) adoption, clear standards for measurement, pricing, and disclosure are critical to ensuring fairness and consumer confidence in the marketplace.

MEA supports the bill's provisions requiring electricity sold as vehicle fuel to be measured and sold in kilowatt-hours, as well as the requirement that responsible parties be clearly identified at charging locations. These provisions align EV charging practices with established weights and measures standards and promote consistency for consumers across the State.

MEA supports the Department of Agriculture's amendments regarding the provision requiring the Comptroller to determine the minimum price for the retail sale of electricity as vehicle fuel. While ensuring fair pricing practices is an important objective, the Comptroller's Office may not be the appropriate entity to establish or administer a minimum price structure for retail electricity sales. Instead, MEA supports the recommendations that the bill be amended to:

- Clarify that electricity sold at retail as vehicle fuel may not be offered below the supplier's cost;
- Explicitly prohibit setting a minimum price at \$0.00 per kilowatt-hour when additional service fees are imposed.

This amendment would provide parity with existing Maryland policy prohibiting the sale of gasoline below cost, while preserving appropriate administrative roles and avoiding the need to establish a new price-setting function within the Comptroller's Office.

Maryland is making significant investments in EV infrastructure and electrification to reduce transportation emissions and improve air quality. Establishing clear, fair, and administratively workable pricing standards will support continued market growth while maintaining consumer protections.

MEA urges the committee to adopt the proposed amendments and to issue a **favorable report as amended**.

Our sincere thanks for your consideration of this testimony. For questions or additional information, please contact Megan Outten, Policy manager, at [megan.outten@maryland.gov](mailto:megan.outten@maryland.gov) or 443.842.1780.

**2026.02.27\_HB0969\_UNF\_Advanced Energy United.pdf**

Uploaded by: Katie Mettle

Position: UNF



**February 27, 2026**  
**Environment & Transportation Committee**

**Electric Vehicle Fuel Sold at Retail - Equipment Requirements, Units of Measure,  
Sales Price, and Fees**

**HB 969**  
**Sponsor: Delegate Nick Allen**

**Katie Mettle**  
**Policy Principal, Maryland & New Jersey, Advanced Energy United**

**Elizabeth Stears**  
**Policy Principal, Electrified Transportation, Advanced Energy United**

**UNFAVORABLE**

Dear Chair Korman, Vice Chair Guyton, and esteemed members of the Environment and Transportation Committee:

Advanced Energy United (United) is a national trade association with a mission to accelerate the transition to 100 percent clean power and transportation electrification. United educates, engages, and advocates for policies that allow our member companies and state decision makers to achieve these goals.

United appreciates the opportunity to provide testimony on House Bill 969. We respect the sponsor's focus on the electric vehicle charging experience for Maryland drivers. When a charger is not working, drivers need clear accountability. Charger reliability is important, and Maryland should continue pursuing solutions that result in faster repairs and better uptime.

United opposes HB 969 as introduced because it creates Maryland specific requirements for retail electricity sales equipment that risk increasing costs and complexity for charging providers that deploy equipment nationwide, without clearly advancing charger reliability. United requests the Committee consider the following points.

1. Maryland should adopt or harmonize with national weights and measures standards, including the National Type Evaluation Program (NTEP). HB 969 is a weights and measures approach to retail electricity sales equipment. If Maryland sets requirements in this area, the state should align with national standards used by weights and measures agencies, rather than creating Maryland specific requirements.
2. United understands the goal of providing customers with contact information when a charger is not working. HB 969 would require Maryland specific information to be displayed on or immediately adjacent to charging equipment. For equipment sold and deployed across the country, state specific physical labeling requirements add cost and operational complexity. If the Committee wishes to preserve the accountability concept, United recommends amendments that allow compliance through approaches that can be implemented consistently across states, such as ensuring a working customer support phone number is clearly available at the point of use, rather than requiring a Maryland specific name and address to be posted on the equipment.

For these reasons, United respectfully opposes HB 969 as introduced and recommends amendments that harmonize Maryland's approach with NTEP and avoid Maryland-specific physical labeling requirements.

Best Regards,

Katie Mettle, Policy Principal  
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**HB969\_2026\_UNF\_LannyHartmann.pdf**

Uploaded by: Lanny Hartmann

Position: UNF

**HB 969** — Electric Vehicle Fuel Sold at Retail – Equipment Requirements, Units of Measure, Sales Price, and Fees

Position: **Unfavorable**

February 27, 2026

The Honorable Marc Korman  
Chair, Environment and Transportation Committee  
House Office Building  
Annapolis, MD 21401

Chairman Korman, Vice Chair Guyton, and Members of the Committee:

I am writing to respectfully urge an unfavorable report on House Bill 969. 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 HB 969 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 House Bill 969.

Respectfully submitted,



Lanny Hartmann  
Columbia, Maryland

In Compliance (\$0.00/kWh)

Charge Rate	
Energy - Time-Of-Day 12:00 AM - 12:00 AM	<b>\$0.00/kWh</b>
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

# **BGE\_LOI\_HB969\_House Bill 969--Electric Vehicle Fue**

Uploaded by: John Frain

Position: INFO



## Position Statement

### Letter of Information

Environment & Transportation

02/25/2026

### **House Bill 969--Electric Vehicle Fuel Sold at Retail - Equipment Requirements, Units of Measure, Sales Price, and Fees**

Baltimore Gas and Electric Company (BGE) respectfully submits this letter of information regarding *House Bill 969 – Electric Vehicle Fuel Sold at Retail: Equipment Requirements, Units of Measure, Sales Price, and Fees*. As currently drafted, *House Bill 969* requires the owner or operator of retail electric vehicle (EV) charging stations to display on their equipment specific information provided by the **Maryland Department of Agriculture (MDA)** including the name, address, and phone number of a local individual responsible for weights and measures compliance.

Maryland has set an ambitious goal of putting **300,000 zero-emission vehicles on the road** to support statewide greenhouse gas reduction targets. Achieving this goal depends on the continued expansion and reliability of Maryland's EV charging network.

BGE is an active partner in this effort. Through our **EVsmart Program**, authorized by the Maryland Public Service Commission (PSC), BGE has installed **publicly accessible charging stations** on government property across our electric service territory. These stations remain fully regulated by the PSC, and on-going regulatory efforts are undertaken and addressed through the PSC's Electric Vehicle Working Group. Accordingly, BGE provides semi-annual reports to the PSC on the program's progress and performance of our equipment. Additionally, our program must comply with **federal National Institute of Standards and Technology (NIST) standards**.

Given the existing regulatory framework, BGE recommends that House Bill 969 explicitly align with federal standards by clarifying that its requirements **do not apply to EV charging stations owned by a "public service company."** Without this clarification, the legislation could cost **upwards of \$120,000** to implement, costs that would ultimately flow through to customers. That outcome runs counter to Maryland's goal of expanding EV infrastructure affordably and risks imposing unnecessary costs for responsibilities already addressed through PSC oversight.

BGE appreciates the opportunity to continue working with the bill sponsor and the Committee on this legislation. We remain committed to collaborating to ensure Maryland's EV infrastructure continues to grow in a reliable, efficient, and customer-focused manner.

BGE, headquartered in Baltimore, is Maryland's largest gas and electric utility, delivering power to more than 1.3 million electric customers and more than 700,000 natural gas customers in central Maryland. The company's approximately 3,400 employees are committed to the safe and reliable delivery of gas and electricity, as well as enhanced energy management, conservation, environmental stewardship and community assistance. BGE is a subsidiary of Exelon Corporation (NYSE: EXC), the nation's largest energy delivery company.

John Haysbert | Brittany Jones | Guy Andes | Dytonia Reed | 410.269.5281