

Department of Legislative Services
Maryland General Assembly
2026 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 649 (Senator Hettleman)
Education, Energy, and the Environment

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

This bill – under provisions governing the regulation of any instrument or device used for weighing or measuring (“weight and measure”) – requires the owner or possessor of a weight and measure used for the retail sale of electricity as vehicle fuel to clearly and conspicuously display information detailing the name, address, and phone number of a local person responsible for the weight and measure. The information may be displayed on or immediately adjacent to the weight and measure. All electricity possessed, offered, or exposed for sale and sold at retail as vehicle fuel must be measured and sold in units of kilowatt-hours. By July 1 of each year, the Comptroller must set the minimum price for the retail sale of electricity as a vehicle fuel and publish the price on the Comptroller’s website. In addition to the price charged for the retail sale of electricity as a vehicle fuel, the owner or possessor may charge a fee for services related to the retail sale of electricity as a vehicle fuel, which may be a fixed fee or assessed based on length of time. **The bill takes effect July 1, 2026.**

Fiscal Summary

State Effect: Transportation Trust Fund (TTF) revenues may increase beginning in FY 2027, as discussed below. The bill does not otherwise materially affect State finances, as discussed below.

Local Effect: The bill does not directly affect local government operations or finances.

Small Business Effect: Minimal.

Analysis

Current Law: The Maryland Department of Agriculture’s Weights and Measures Program, on behalf of the Secretary of Agriculture and pursuant to Title 11 of the Agriculture Article, inspects and certifies the accuracy of weights and measures in the State to ensure the fairness and equity of all commercial transactions involving determination of quantity.

Generally, unless registered with the Secretary, a weight and measure may not be used or possessed for current use for (1) buying or selling any commodity or object; (2) hire or award; (3) computing any charge or payment for services rendered on the basis of weight and measurement; or (4) determining any weight and measure for a charge. A registration must be renewed annually and registration/renewal fees (established by regulation, varying by type of weight and measure) must be paid.

The Secretary must inspect and test every weight and measure commercially used in determining (1) the weight, measurement, or count of any commodity sold, or offered or exposed for sale, on the basis of weight, measure, or count; (2) any charge or payment for services rendered on the basis of weight, measure, or count; and (3) weight, measurement, or count when a charge is made for the determination. The specifications, tolerances, and other technical requirements for commercial weighing and measuring devices must be those adopted by the National Conference on Weights and Measures and included in the National Institute of Standards and Technology (NIST) Handbook 44, as amended.

NIST Handbook 44, Section 3.40 (“Electric Vehicle Fueling Systems”), requires that:

- Electric Vehicle Supply Equipment (EVSE) used to charge electric vehicles indicate the electrical energy, the unit price, and the total price of each transaction;
- EVSE units used to charge vehicles be indicated and recorded in kilowatt-hours and decimal subdivisions thereof;
- a receipt be available at the completion of all transactions that includes (1) the total quantity of the energy delivered with unit of measure; (2) the total computed price of the energy sale; (3) the unit price of the energy; (4) any additional separate charges included in the transaction (*e.g.*, charges for parking time); and (5) the final total price of the completed transaction including all items; and
- an unattended EVSE have clearly and conspicuously displayed thereon, or immediately adjacent thereto, adequate information detailing the name, address, and phone number of the local responsible party for the device.

State Fiscal Effect: TTF revenues may increase, beginning in fiscal 2027, to the extent the minimum price (for the retail sale of electricity as a vehicle fuel) determined by the

Comptroller, pursuant to the bill, increases the overall amount paid by customers to charge electric vehicles at commercial EVSE in a given year, consequently increasing the amount of sales and use tax revenues collected on those sales. The extent of any increase, however, cannot be reliably estimated.

The State sales and use tax rate is 6.0%. Chapter 717 of 2024 requires the Comptroller, after making specified distributions to pay refunds and administrative costs, to distribute to TTF sales and use tax collected that is attributable to the sale of electricity (1) at an electric vehicle charging station or (2) used to charge an electric vehicle and is not sold under a residential or domestic rate schedule on file with the Public Service Commission.

For context, the Comptroller's Office advises that \$677,165 in sales and use tax revenue from electric vehicle charging was distributed to TTF in fiscal 2026 and \$318,075 has been distributed to date in fiscal 2026.

The Comptroller's Office indicates that it can determine and publish the minimum price with existing resources. Remaining provisions of the bill codify existing requirements and authority.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: None.

Information Source(s): Maryland Department of Agriculture; Comptroller's Office; Department of General Services; Maryland Energy Administration; Public Service Commission; National Institute of Standards and Technology; Department of Legislative Services

Fiscal Note History: First Reader - March 1, 2026
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