

HOUSE BILL 230

M3
HB 829/22 – ENT

3lr1059
CF SB 224

By: **Delegates Love, Fraser–Hidalgo, Charkoudian, Foley, Guyton, Moon, Queen, Terrasa, Turner, ~~and Vogel~~ Vogel, Addison, Allen, Barve, Healey, Holmes, Lehman, J. Long, Ruth, Stein, and Stewart**

Introduced and read first time: January 23, 2023
Assigned to: Environment and Transportation

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 20, 2023

CHAPTER _____

1 AN ACT concerning

2 **Department of the Environment – Zero–Emission Medium– and Heavy–Duty**
3 **Vehicles – Regulations**
4 **(Clean Trucks Act of 2023)**

5 FOR the purpose of requiring the Department of the Environment to adopt regulations on
6 or before a certain date establishing requirements for the sale of new zero–emission
7 medium– and heavy–duty vehicles in the State; requiring the Department, in
8 consultation with certain units of State government, to prepare and submit to the
9 General Assembly a certain needs assessment and deployment plan; authorizing the
10 Department to delay implementation of regulations adopted under this Act under
11 certain circumstances; altering the Medium–Duty and Heavy–Duty Zero–Emission
12 Vehicle Grant Program by altering the definition of “grant” and “qualified
13 medium–duty or heavy–duty zero–emission vehicle”, limiting the application of the
14 Program, and requiring the Maryland Energy Administration to give preference to
15 certain vehicles and equipment in issuing Program grants; altering and repealing
16 certain mandatory appropriations from the Strategic Energy Investment Fund for
17 certain fiscal years; and generally relating to the sale of zero–emission vehicles in
18 the State.

19 BY adding to
20 Article – Environment
21 Section 2–1103.1
22 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



(2013 Replacement Volume and 2022 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–2011
Annotated Code of Maryland
(2021 Replacement Volume and 2022 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
 That the Laws of Maryland read as follows:

Article – Environment

2–1103.1.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
 INDICATED.

(2) “HEAVY–DUTY VEHICLE” MEANS A VEHICLE WITH A GROSS
 VEHICLE WEIGHT RATING EQUAL TO OR GREATER THAN 14,001 POUNDS.

(3) “MEDIUM–DUTY VEHICLE” MEANS A VEHICLE WITH A GROSS
 VEHICLE WEIGHT RATING OF NOT LESS THAN 8,501 POUNDS AND NOT MORE THAN
 14,000 POUNDS.

(B) (1) ON OR BEFORE DECEMBER 1, 2023, THE DEPARTMENT SHALL
 ADOPT REGULATIONS ESTABLISHING REQUIREMENTS FOR THE SALE OF NEW
 ZERO–EMISSION MEDIUM– AND HEAVY–DUTY VEHICLES IN THE STATE.

(2) THE REGULATIONS ADOPTED UNDER PARAGRAPH (1) OF THIS
 SUBSECTION SHALL:

(I) UPDATE EXISTING REGULATIONS; ~~AND~~

(II) INCORPORATE BY REFERENCE THE CALIFORNIA AIR
 RESOURCES BOARD’S ~~VEHICLE STANDARDS~~ ADVANCED CLEAN TRUCKS
REGULATIONS, AS REVISED AND UPDATED; AND

(III) SUBJECT TO SUBSECTION (D) OF THIS SECTION, TAKE
EFFECT STARTING WITH MODEL YEAR 2027.

(C) (1) THE DEPARTMENT, IN CONSULTATION WITH THE DEPARTMENT
OF TRANSPORTATION, THE DEPARTMENT OF GENERAL SERVICES, THE MARYLAND
ENERGY ADMINISTRATION, AND THE PUBLIC SERVICE COMMISSION, SHALL

1 PREPARE A NEEDS ASSESSMENT AND DEPLOYMENT PLAN RELATING TO THE
2 SUCCESSFUL IMPLEMENTATION OF REGULATIONS ADOPTED UNDER THIS SECTION.

3 (2) THE NEEDS ASSESSMENT AND DEPLOYMENT PLAN SHALL ASSESS
4 AND PLAN FOR:

5 (I) THE ADDITIONAL ELECTRICAL CAPACITY, TRANSMISSION,
6 DISTRIBUTION DEMANDS, AND HYDROGEN FUELING DEMANDS THAT WILL RESULT
7 FROM IMPLEMENTATION OF THE REGULATIONS, AND THE ABILITY OF THE STATE'S
8 ELECTRIC UTILITIES, GRID, AND HYDROGEN INFRASTRUCTURE TO MEET THOSE
9 DEMANDS, BASED ON PUBLICLY AVAILABLE INFORMATION AND EXISTING
10 ANALYSES;

11 (II) THE NUMBER OF ZERO-EMISSION MEDIUM- AND
12 HEAVY-DUTY VEHICLE RECHARGING AND REFUELING STATIONS RECOMMENDED
13 FOR IMPLEMENTATION OF THE REGULATIONS, AND THE COSTS, PERMITTING
14 PROCESSES, AND TIMELINES FOR INSTALLING THOSE STATIONS;

15 (III) THE PURCHASE INCENTIVES AND OTHER MECHANISMS
16 RECOMMENDED FOR SUCCESSFUL IMPLEMENTATION OF THE REGULATIONS,
17 INCLUDING INCENTIVES FOR RECHARGING AND REFUELING STATIONS AND
18 RELATED INFRASTRUCTURE, AND THE EXISTING AND POTENTIAL SOURCES OF
19 FUNDING FOR THOSE INCENTIVES AND MECHANISMS; AND

20 (IV) THE TIMELINE, ECONOMIC FEASIBILITY, AND MODELS
21 AVAILABLE FOR TRANSITIONING MEDIUM- AND HEAVY-DUTY VEHICLES IN THE
22 STATE VEHICLE FLEET, INCLUDING STATE-CONTRACTED MEDIUM- AND
23 HEAVY-DUTY VEHICLES, TO ZERO-EMISSION VEHICLES.

24 (3) ON OR BEFORE DECEMBER 1, 2024, THE DEPARTMENT SHALL
25 SUBMIT THE NEEDS ASSESSMENT AND DEPLOYMENT PLAN TO THE GENERAL
26 ASSEMBLY IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE.

27 (D) THE DEPARTMENT MAY DELAY IMPLEMENTATION OF THE
28 REGULATIONS AUTHORIZED UNDER THIS SECTION BY ONE OR MORE MODEL YEARS
29 IF, AFTER CONSULTING WITH THE DEPARTMENT OF TRANSPORTATION, THE
30 DEPARTMENT OF GENERAL SERVICES, THE MARYLAND ENERGY ADMINISTRATION,
31 AND THE PUBLIC SERVICE COMMISSION, THE DEPARTMENT DETERMINES, BASED
32 ON CRITERIA IDENTIFIED THROUGH THE NEEDS ASSESSMENT AND DEPLOYMENT
33 PLAN, THAT IMPLEMENTATION OF THE REGULATIONS IS NOT YET FEASIBLE.

34 Article – State Government

35 9-2011.

(a) (1) In this section the following words have the meanings indicated.

(2) “Grant” means a medium-duty or heavy-duty zero-emission vehicle grant issued by the Administration under this section for up to [20%] 75% of the INCREMENTAL cost of a qualified medium-duty or heavy-duty zero-emission vehicle[, qualified medium-duty or heavy-duty zero-emission vehicle supply equipment.] or zero-emission heavy equipment property.

(3) “INCREMENTAL COST” MEANS THE DIFFERENCE IN PRICE OF:

(I) A CONVENTIONAL MODEL VEHICLE AND A ZERO-EMISSION MODEL THAT IS ATTRIBUTABLE TO THE FUNCTIONAL FEATURES OF THE VEHICLE;
OR

(II) CONVENTIONAL HEAVY EQUIPMENT PROPERTY AND ZERO-EMISSION HEAVY EQUIPMENT PROPERTY THAT IS ATTRIBUTABLE TO THE FUNCTIONAL FEATURES OF THE EQUIPMENT.

(4) “Program” means the Medium-Duty and Heavy-Duty Zero-Emission Vehicle Grant Program.

[(4)] (5) “Qualified medium-duty or heavy-duty zero-emission vehicle” means a motor vehicle that is:

(i) rated at more than [8,500 pounds unloaded gross weight] 10,000 POUNDS GROSS VEHICLE WEIGHT; and

(ii) powered by electricity that is stored in a battery or produced by a hydrogen fuel cell.

[(5)] (6) “Qualified medium-duty or heavy-duty zero-emission vehicle supply equipment” means property in the State that is used for recharging or refueling medium-duty or heavy-duty zero-emission vehicles or zero-emission heavy equipment property.

[(6)] (7) (i) “Zero-emission heavy equipment property” means construction, earthmoving, or industrial heavy equipment, including any attachment for the equipment, that:

1. is mobile; and

2. does not use an internal combustion engine.

(ii) “Zero-emission heavy equipment property” includes:

1 qualified **NEWLY MANUFACTURED** medium-duty or heavy-duty zero-emission vehicles
2 **OR ZERO-EMISSION HEAVY EQUIPMENT PROPERTY** under the Program.

3 [(2) Notwithstanding § 9-20B-05(g) of this title, in each of fiscal years 2024
4 through 2027, the Governor shall include in the annual budget bill an appropriation of at
5 least \$750,000 from the Strategic Energy Investment Fund for grants for zero-emission
6 heavy equipment property under the Program.]

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
8 1, 2023.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.