



STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION



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April 10, 2025

Senator Chip Curry, Chair
Representative Traci Gere, Chair
132nd Legislature
Joint Standing Committee on Housing and Economic Development
100 State House Station
Augusta, ME 04330

RE: L.D. 1394, "An Act to Support Maine's Electric Vehicle Adoption Goals by Providing an Exclusion for Electric Vehicles from Certain Requirements of the Right to Repair Law"

Dear Senator Curry, Representative Gere, and Members of the Committee,

The Maine Department of Environmental Protection (Department) wishes to convey its concerns regarding the efficacy of this bill in advancing our climate goals and the potential impacts on the Department.

As drafted, this bill would provide an exclusion from certain telematics systems requirements for those manufacturers meeting electric vehicle sales thresholds established through rulemaking by the Department. While eliminating the requirement for new electric vehicles (EVs) to be equipped with telematics pursuant to Maine's Right to Repair law at 29-A M.R.S. § 1801, sub-§7 may reduce the costs of new EVs, telematics can provide numerous benefits for both individual and fleet vehicle owners. These benefits can include:

- 1) Enhancing the driving experience. Telematics can help drivers know the range of their vehicle, locate charging infrastructure, and even reserve charging ports.
- 2) Battery health monitoring. Telematics can monitor battery health and improve on-board vehicle algorithms.
- 3) Fleet management and route mapping. Telematics help fleet managers to more effectively manage routes, benchmark vehicle utilization rates, monitor charges, and efficiently measure whether their plans are effective in reducing costs.
- 4) Firmware updates. Telematics can act as a conduit for firmware updates of EV electronics.

Perhaps most importantly, telematics can allow for the development and implementation of more effective managed charging programs. Managed charging programs funnel EV charging demand

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to those hours where overall demands on the electric grid are less, excess renewable energy is available, and utility rates are lower. Managed charging programs help reduce costs for all utility customers by reducing peak demand and avoiding the need for costly grid upgrades. Given the benefits provided by telematics, and the fact that almost all new EVs are factory-equipped with these systems, it is unclear how the proposal would actually incentivize manufacturers to deliver additional EVs for sale or lease.¹

It is also important to recognize that the proposal would place new and significant demands on the Department's resources. In addition to rulemaking, the Department would be required to conduct a variety of program implementation activities including: an annual review and adjustment of the program's exemption thresholds; the development of a process for electronic recordkeeping and exemption certification and compliance tracking; and the submission of annual program effectiveness reports to the Legislature. Participating manufacturers that failed to meet their sales/delivery targets would also potentially be subject to enforcement actions pursuant to 38 M.R.S. §347-A, further straining Department resources.

In closing, it is uncertain whether the proposal would have the desired effect of increasing electric vehicle sales in Maine. On the other hand, consumers, fleet operators, and independent repair facilities could lose many of the benefits provided by telematics.

Thank you for the opportunity to provide our comments, and we would be happy to attend the work session to answer any questions.

A handwritten signature in dark ink, appearing to read 'Jeffrey S. Crawford', with a large, stylized initial 'J' and a long, sweeping horizontal stroke extending to the right.

Jeffrey S. Crawford, Director
Bureau of Air Quality

¹ A manufacturer's exemption from certain requirements of Maine's Right to Repair Law might limit the ability of owners and independent repair facilities from servicing EVs under the proposal.