
House Bill 1134

Date: March 6, 2023
Committee: Environment and Transportation & Economic Matters
Bill Title: Maryland Building Performance Standards - Fossil Fuel Use and Electric-Ready
Re: Letter of Support

House Bill 1134 requires the Maryland Department of Labor to adopt, as part of the Maryland Building Performance Standards, a requirement that new buildings meet all energy demands without the use of fossil fuels. As part of the Climate Solutions Now Act (CSNA) of 2022, the Building Code Administration (BCA) of the Maryland Department of Labor was tasked with developing recommendations for an all-electric building code for the State, including appropriate exemptions. The resulting report, MSAR #14142, discusses the recommendations. One of those recommendations was the adoption of an all-electric building code for new single-family residential buildings.

The New Buildings Institute (NBI) has developed a “Building Decarbonization Code”¹ that can be overlaid on top of the 2021 International Energy Conservation Code (IECC) and result in an all-electric IECC. This can be used as a starting point for an all-electric code in Maryland.

Code overlays are not yet available, however, for the International Building Code or the International Residential, Plumbing or Mechanical Codes. The BCA will need to review all of the codes, draft, and adopt any necessary changes to the 2021 editions to make them all-electric, as well as the 2024 editions.

MDL will need the services of a contractual code expert to review all of the 2021 and 2024 code editions and create code language to modify the codes to create an all-electric requirement and an electric-ready option for those buildings who are granted a waiver. MDL also requests a contractual Assistant Attorney General IV to assist in the drafting and promulgation of the amendments to the MBPS and to coordinate the public hearings required by PSA §12-503(b)(1)(vi).

If the code expert finds that certain all-electric requirements are not yet technically feasible, such as for industrial facilities that may require the use of fossil fuels where there is no viable electric alternative, we respectfully request the committee consider including more flexibility to provide additional exemptions.

Provided the funding is included to hire the two positions noted in our Fiscal Impact statement, the Department respectfully requests a favorable report from the committee.

¹ (<https://newbuildings.org/resource/building-decarbonization-code/>)