

February 13, 2024

The Honorable Marc Korman
Environment & Transportation Committee
House Office Building, Room 251,
6 Bladen St., Annapolis, MD, 21401

RE: HB 503 - Public Safety - Corrugated Stainless Steel Tubing for Fuel Gas Piping Systems - Requirements and Prohibitions

Dear Chair Korman:

The Maryland Building Industry Association, representing 100,000 employees statewide, appreciates the opportunity to participate in the discussion surrounding **House Bill 503, Public Safety - Corrugated Stainless Steel Tubing for Fuel Gas Piping Systems - Requirements and Prohibitions**. MBIA **Opposes** the Act in its current version.

The principal concern with the proposed legislation revolves around the issue of whether it matters that all equipment and piping systems installed within Maryland homes be referenced to a national consensus standard (recognized by the State Fuel Gas Code) or be allowed based only on what is called listing criteria. The use of a listing criteria is intended for those emerging products that are not currently covered by a national consensus standard. The biggest difference between a consensus standard and the listing criteria is the development process. The listing criteria can be developed by an organization other than an SDO. ICC Evaluation Services is such a non-SDO. The LC-1027 is such a listing criteria that was developed at the behest of a single CSST manufacturer specifically for their special arc-resistant CSST design without any other considerations. Furthermore, the ICC development process is not a public consensus process such as the one used for ANSI sanctioned standards, and without a balanced TC and with limited or no public input.

The LC-1027 is a testing criteria that was created by the manufacturer, Gastite, for their specific product. Second, if implemented this bill will create a monopoly in the marketplace since Gastite is the only manufacturer that meets the LC-1027 testing criteria and they have patented their product. Furthermore, this bill references the International Gas Fuel Code. There is no mention of LC-1027 anywhere in the International Gas Fuel Code. In other words, the bill text is not operable.

In summary, this issue has already been litigated with the signing of HB 1052 in 2022 establishing the requirement for arc-resistant CSST in accordance with its national consensus standard ANSI/CSA LC-1. Adoption of LC-1027 in lieu of LC-1 will create numerous potential conflicts as well as unwarranted interference by the State of Maryland into flow of commerce

For these reasons, MBIA respectfully requests the Committee adopt the proposed amendment and give this measure a favorable report. Thank you for your consideration.

For more information about this position, please contact Lori Graf at 410-800-7327 or lgraf@marylandbuilders.org.

cc: Members of the House Environment & Transportation Committee