

# HOUSE BILL 940

E4

2lr2277  
CF SB 869

---

By: **Delegates Stein, Bobo, Cane, Carr, Gilchrist, Holmes, Hucker, Morhaim,  
and Weir**

Introduced and read first time: February 10, 2012

Assigned to: Environmental Matters

---

Committee Report: Favorable

House action: Adopted

Read second time: March 17, 2012

---

## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Maryland Building Performance Standards – Hotels – Mandatory Master**  
3 **Control Device**

4 FOR the purpose of authorizing the Department of Housing and Community  
5 Development to adopt certain standards that are more stringent than standards  
6 in the International Building Code; requiring that guest rooms in newly  
7 constructed hotels be equipped with a certain device that turns off lighting  
8 fixtures after a certain period of time; authorizing the required device to control  
9 heating, ventilation, or air conditioning default settings in a certain manner;  
10 requiring the Department to adopt certain provisions of law as a part of the  
11 Maryland Building Performance Standards; providing for the application of this  
12 Act; defining certain terms; and generally relating to requirements for energy  
13 conservation devices in hotels under the Maryland Building Performance  
14 Standards.

15 BY repealing and reenacting, with amendments,  
16 Article – Public Safety  
17 Section 12–503  
18 Annotated Code of Maryland  
19 (2011 Replacement Volume)

20 BY adding to  
21 Article – Public Safety  
22 Section 12–510

---

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.



1 Annotated Code of Maryland  
2 (2011 Replacement Volume)

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

5 **Article – Public Safety**

6 12–503.

7 (a) (1) The Department shall adopt by regulation, as the Maryland  
8 Building Performance Standards, the International Building Code, including the  
9 International Energy Conservation Code, with the modifications incorporated by the  
10 Department under subsection (b) of this section.

11 (2) The Department shall adopt each subsequent version of the  
12 Standards within 12 months after it is issued.

13 (b) (1) Before adopting each version of the Standards, the Department  
14 shall:

15 (i) review the International Building Code to determine  
16 whether modifications should be incorporated in the Standards;

17 (ii) consider changes to the International Building Code to  
18 enhance energy conservation and efficiency;

19 (iii) accept written comments;

20 (iv) consider any comments received; and

21 (v) hold a public hearing on each proposed modification.

22 (2) (i) Except as provided in subparagraph (ii) of this paragraph  
23 **AND § 12–510 OF THIS SUBTITLE**, the Department may not adopt, as part of the  
24 Standards, a modification of a building code requirement that is more stringent than  
25 the requirement in the International Building Code.

26 (ii) The Department may adopt energy conservation  
27 requirements that are more stringent than the requirements in the International  
28 Energy Conservation Code, but may not adopt energy conservation requirements that  
29 are less stringent than the requirements in the International Energy Conservation  
30 Code.

31 (c) The Standards apply to each building or structure in the State for which  
32 a building permit application is received by a local jurisdiction on or after August 1,  
33 1995.

1 12-510.

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

4 (2) (I) "HOTEL" MEANS AN ESTABLISHMENT THAT OFFERS  
5 SLEEPING ACCOMMODATIONS FOR COMPENSATION.

6 (II) "HOTEL" DOES NOT INCLUDE A BED AND BREAKFAST  
7 ESTABLISHMENT.

8 (3) "MASTER CONTROL DEVICE" MEANS:

9 (I) A CONTROL THAT IS ACTIVATED WHEN A PERSON  
10 ENTERS THE ROOM THROUGH THE PRIMARY ROOM-ACCESS METHOD; OR

11 (II) AN OCCUPANCY SENSOR CONTROL THAT IS ACTIVATED  
12 BY A PERSON'S PRESENCE IN THE ROOM.

13 (B) THIS SECTION APPLIES ONLY TO THE NEW CONSTRUCTION OF  
14 HOTELS.

15 (C) (1) EACH HOTEL GUEST ROOM SHALL BE EQUIPPED WITH A  
16 MASTER CONTROL DEVICE THAT AUTOMATICALLY TURNS OFF THE POWER TO  
17 ALL OF THE LIGHTING FIXTURES IN THE GUEST ROOM NO MORE THAN 30  
18 MINUTES AFTER THE ROOM HAS BEEN VACATED.

19 (2) A MASTER CONTROL DEVICE MAY ALSO CONTROL THE  
20 HEATING, VENTILATION, OR AIR CONDITIONING DEFAULT SETTINGS IN HOTEL  
21 GUEST ROOMS 30 MINUTES AFTER A ROOM HAS BEEN VACATED BY:

22 (I) INCREASING THE SET TEMPERATURE BY AT LEAST 3  
23 DEGREES FAHRENHEIT WHEN IN THE AIR CONDITIONING MODE; OR

24 (II) DECREASING THE SET TEMPERATURE BY AT LEAST 3  
25 DEGREES FAHRENHEIT WHEN IN THE HEATING MODE.

26 (D) THE DEPARTMENT SHALL ADOPT THE PROVISIONS OF THIS  
27 SECTION AS A PART OF THE MARYLAND BUILDING PERFORMANCE STANDARDS.

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply to a  
29 building permit application submitted to a local jurisdiction under § 12-505(a) of the  
30 Public Safety Article and to industrialized building plans submitted to the Department

**HOUSE BILL 940**

1 of Housing and Community Development under Title 12, Subtitle 3 of the Public  
2 Safety Article on or after October 1, 2012.

3 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
4 October 1, 2012.

Approved:

---

Governor.

---

Speaker of the House of Delegates.

---

President of the Senate.