

SENATE BILL 869

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2lr2260
CF 2lr2277

By: **Senator Conway**

Introduced and read first time: February 3, 2012

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

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
23 Annotated Code of Maryland
24 (2011 Replacement Volume)

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

27 **Article – Public Safety**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 12-503.

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

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

8 (b) (1) Before adopting each version of the Standards, the Department
9 shall:

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

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

14 (iii) accept written comments;

15 (iv) consider any comments received; and

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

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

21 (ii) The Department may adopt energy conservation
22 requirements that are more stringent than the requirements in the International
23 Energy Conservation Code, but may not adopt energy conservation requirements that
24 are less stringent than the requirements in the International Energy Conservation
25 Code.

26 (c) The Standards apply to each building or structure in the State for which
27 a building permit application is received by a local jurisdiction on or after August 1,
28 1995.

29 **12-510.**

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

1 **(2) (I) “HOTEL” MEANS AN ESTABLISHMENT THAT OFFERS**
2 **SLEEPING ACCOMMODATIONS FOR COMPENSATION.**

3 **(II) “HOTEL” DOES NOT INCLUDE A BED AND BREAKFAST**
4 **ESTABLISHMENT.**

5 **(3) “MASTER CONTROL DEVICE” MEANS:**

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

8 **(II) AN OCCUPANCY SENSOR CONTROL THAT IS ACTIVATED**
9 **BY A PERSON’S PRESENCE IN THE ROOM.**

10 **(B) THIS SECTION APPLIES ONLY TO THE NEW CONSTRUCTION OF**
11 **HOTELS.**

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

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

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

21 **(II) DECREASING THE SET TEMPERATURE BY AT LEAST 3**
22 **DEGREES FAHRENHEIT WHEN IN THE HEATING MODE.**

23 **(D) THE DEPARTMENT SHALL ADOPT THE PROVISIONS OF THIS**
24 **SECTION AS A PART OF THE MARYLAND BUILDING PERFORMANCE STANDARDS.**

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply to a
26 building permit application submitted to a local jurisdiction under § 12-505(a) of the
27 Public Safety Article and to industrialized building plans submitted to the Department
28 of Housing and Community Development under Title 12, Subtitle 3 of the Public
29 Safety Article on or after October 1, 2012.

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