

HOUSE BILL 1162

C2

5lr3199

By: **Delegate Stein**

Introduced and read first time: February 6, 2025

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Heating, Ventilation, Air-Conditioning, or Refrigeration Contractors –**
3 **Equipment Sales**

4 FOR the purpose of prohibiting a person from knowingly offering to sell or selling heating,
5 ventilation, air-conditioning, or refrigeration equipment to an individual that is not
6 licensed by the Board of Heating, Ventilation, Air-Conditioning, or Refrigeration
7 Contractors except under certain circumstances; requiring certain persons to collect
8 certain information from or provide a certain notice to purchasers of heating,
9 ventilation, air-conditioning, or refrigeration equipment at the time of sale;
10 requiring certain sellers of heating, ventilation, air-conditioning, or refrigeration
11 equipment to submit a certain report to the Board each fiscal year; and generally
12 relating to heating, ventilation, air-conditioning, or refrigeration contractors.

13 BY repealing and reenacting, without amendments,
14 Article – Business Regulation
15 Section 9A-103, 9A-201, and 9A-301
16 Annotated Code of Maryland
17 (2024 Replacement Volume)

18 BY adding to
19 Article – Business Regulation
20 Section 9A-501.1
21 Annotated Code of Maryland
22 (2024 Replacement Volume)

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

25 **Article – Business Regulation**

26 9A-103.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 This title does not limit the right of:

2 (1) an individual owner of a single-family dwelling while that owner is
3 practicing heating, ventilation, air-conditioning, or refrigeration services on or within a
4 building or structure owned by the individual;

5 (2) an individual who is building a single-family dwelling in which that
6 individual will reside while practicing heating, ventilation, air-conditioning, or
7 refrigeration services on or within that dwelling;

8 (3) an employee of a public utility company regulated by the Public Service
9 Commission, when engaged in:

10 (i) the development, construction, maintenance, or repair of electric
11 or gas facilities located in the State; or

12 (ii) the construction, maintenance, or repair of electric or gas
13 appliances in the service area of the public utility;

14 (4) subject to § 9A-403(a) of this title, an employee of the United States
15 government, the State government, a local government, or an independent agency while
16 that employee is practicing heating, ventilation, air-conditioning, or refrigeration services
17 on or within buildings or structures owned or solely occupied by the United States
18 government, the State government, a local government, or an independent agency;

19 (5) an individual employed in the installation, maintenance, alteration,
20 repair, or replacement of self-contained appliances requiring not more than 225 volts or 25
21 amperes of electrical current;

22 (6) an individual possessing a master electrician's license issued by the
23 State or any county, when engaged in the installation, alteration, service, repair, or
24 replacement of individually controlled electric resistance heat;

25 (7) an individual possessing a master plumber's license issued by the State,
26 Baltimore County, or the Washington Suburban Sanitary Commission when providing
27 heating, ventilation, air-conditioning, or refrigeration services on hydronic heating
28 systems;

29 (8) an individual possessing a license to practice engineering when
30 providing heating, ventilation, air-conditioning, or refrigeration services in connection
31 with the practice of engineering;

32 (9) an individual who installs, alters, remodels, maintains, or repairs oil
33 burners exclusively while employed by a supplier of home heating fuel; or

1 (10) an individual regularly employed by the owner of property, or the
2 owner's agent, to engage in maintenance and repair work.

3 9A-201.

4 There is a State Board of Heating, Ventilation, Air-Conditioning, and Refrigeration
5 Contractors in the Department.

6 9A-301.

7 Except as otherwise provided in this title, an individual shall be licensed by the
8 Board before the individual provides or assists in providing heating, ventilation,
9 air-conditioning, or refrigeration services in the State.

10 **9A-501.1.**

11 **(A) IN THIS SECTION, "SELLER" MEANS A PERSON THAT OWNS A BUSINESS**
12 **THAT HAS A GROSS ANNUAL REVENUE OF \$100,000 OR MORE FROM THE SALE OF**
13 **HEATING, VENTILATION, AIR-CONDITIONING, OR REFRIGERATION EQUIPMENT.**

14 **(B) A PERSON MAY NOT KNOWINGLY SELL OR OFFER TO SELL HEATING,**
15 **VENTILATION, AIR-CONDITIONING, OR REFRIGERATION EQUIPMENT TO ANOTHER**
16 **PERSON, UNLESS THE INDIVIDUAL PURCHASING THE EQUIPMENT:**

17 **(1) IS LICENSED BY OR EMPLOYS AN INDIVIDUAL LICENSED BY THE**
18 **BOARD TO PROVIDE OR ASSIST IN PROVIDING HEATING, VENTILATION,**
19 **AIR-CONDITIONING, OR REFRIGERATION SERVICES; OR**

20 **(2) IS NOT REQUIRED TO BE LICENSED UNDER § 9A-103 OF THIS**
21 **TITLE.**

22 **(C) (1) A PERSON THAT SELLS HEATING, VENTILATION,**
23 **AIR-CONDITIONING, OR REFRIGERATION EQUIPMENT SHALL COLLECT THE NAME**
24 **AND LICENSE NUMBER OF AN INDIVIDUAL WHO PURCHASES HEATING,**
25 **VENTILATION, AIR-CONDITIONING, OR REFRIGERATION EQUIPMENT AT THE TIME**
26 **OF SALE.**

27 **(2) IF A PERSON IS NOT ABLE TO COLLECT THE NAME AND LICENSE**
28 **NUMBER OF AN INDIVIDUAL WHO PURCHASED EQUIPMENT UNDER PARAGRAPH (1)**
29 **OF THIS SUBSECTION, THE PERSON SHALL PROVIDE A WRITTEN NOTICE TO THE**
30 **INDIVIDUAL WITH INFORMATION PRESCRIBED BY THE BOARD REGARDING THE**
31 **REQUIREMENT THAT AN INDIVIDUAL BE LICENSED BY THE BOARD BEFORE**
32 **PROVIDING OR ASSISTING IN PROVIDING HEATING, VENTILATION,**
33 **AIR-CONDITIONING, OR REFRIGERATION SERVICES IN THE STATE, INCLUDING THE**

1 INSTALLATION OF HEATING, VENTILATION, AIR-CONDITIONING, OR
2 REFRIGERATION EQUIPMENT.

3 (D) A SELLER SHALL FILE A REPORT WITH THE BOARD WITHIN 1 MONTH
4 AFTER THE END OF EACH FISCAL YEAR THAT LISTS THE NAME AND LICENSE NUMBER
5 OF EACH INDIVIDUAL THAT PURCHASED HEATING, VENTILATION,
6 AIR-CONDITIONING, OR REFRIGERATION EQUIPMENT FROM THE SELLER DURING
7 THE PRECEDING FISCAL YEAR.

8 (E) ON OR BEFORE JANUARY 1, 2026, THE BOARD SHALL ADOPT
9 REGULATIONS TO CARRY OUT THIS SECTION.

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
11 October 1, 2025.