

HB 109/SB 254: Public Safety – Maryland Swimming Pool and Spa Standards Adoption^{v2.0}

According to a [2015 Maryland Department of Health report](#), drowning was the 2nd leading cause of death for children 0-4 and the third leading cause of death for children aged 5-14. While most Jurisdictions in Maryland have some form of existing pool and spa regulations, most lack a comprehensive code or laws that address design, construction, and safety of pools and spas leaving a patchwork of regulations across Maryland. [HB 109](#) and [SB 254](#) remedy this by adopting the International Swimming Pool and Spa Code (ISPSC) which is the only code that is coordinated and correlated with the other building codes adopted in Maryland.

The ISPSC is the first national code for swimming pools and spas ever created and the only code to address all aspects of public and residential pool and spa design and construction addressing quality, safety, and energy and conservation.

Benefits of adopting the ISPSC:

- Enhances residential pool barrier requirements, reducing drowning incidents.
- Ensures compliance with Virginia Graeme Baker Act thus eliminating entrapment incidents.
- Covers fencing, decks, lighting, heaters, circulation systems, pumps, accessibility, diving, sanitizing equipment, filters, and suction fittings.
- Based on scientifically proven best practices for drowning prevention and energy efficiency.
- Provides Maryland a consistent and uniform set of regulations reducing the cost of pool design and construction.
- Requires portable spas to be certified to the latest industry standards, eliminating the need to inspect inaccessible interior components.
- Coordinated and correlated with the International Building Code (IBC), International Residential Code (IRC), International Plumbing Code (IPC), International Mechanical Code (IMC), and the other I-Codes adopted by Maryland and uses the same open and transparent development process.
- Eligibility for Consumer Product Safety Commission (CPSC) training grants.
- Statewide training on a code that is coordinated and correlated with the other codes adopted by Maryland.
- [Requirements are easily accessible and free for public viewing.](#)

Synopsis – HB 109 and SB254 creates the Maryland Swimming Pool and Spa Standards and adopts the ISPSC by regulation with an initial implementation date of June 1, 2022. The proposed language mirrors [12-503](#), Maryland Building Performance Standards, which adopts, by regulation ([COMAR 09.12.51](#)), the International Building Code (IBC), International Energy Conservation Code (IECC), and permits the International Green Construction Code (IgCC) (COMAR 09.12.51 also adopts the International Residential Code).

Like the adoption process of the Maryland Building Performance Standards, HB 109 and SB 254 require the Department of Labor to adopt subsequent versions of the Standards within 18-months after issuance. Local jurisdictions have an additional 12-months after the state concludes the process. Notable in the legislation:

- The Department of Labor can modify the Standards to make them less stringent; consider changes to enhance energy efficiency; shall maintain a central automated database that includes the Standards, local amendments to the Standards, make database information available to local jurisdictions, coordinate with code officials and the State Fire Marshal and local fire officials.
- **Local jurisdictions can further amend the Standards if they do not weaken energy efficiency provisions.**