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SB 319 – Support
Public Safety – Maryland Swimming Pool and Spa Standards – Adoption
Environment and Transportation Committee

February 7, 2022

Dear Chair McCray, and Members of the Committee,

The International Code Council (Code Council) supports the passage SB 319, adopting the International Swimming Pool and Spa Code (ISPSC) for new construction, alteration, and remodeling of public, semi-public, and private pools and spas¹.

The Code Council is a member-focused nonprofit association with over 64,000 members (1,200 of whom call Maryland home) that develops model building codes, the I-Codes, used in the design, build and compliance process to construct safe, sustainable, affordable and resilient structures. Maryland chooses the International Codes (I-Codes) as its regulatory foundation for the built environment adopting and adapting the International Residential Code, the International Building Code, the International Plumbing Code, the International Mechanical Code, the International Fuel Gas Code, the International Green Construction Code, the International Property Maintenance Code, the International Existing Building Code, and the International Energy Conservation Code, all of which are updated every three years using a nationally recognized consensus-based process. The I-Codes, including the *International Swimming Pool and Spa Code* (ISPSC), are the most widely used and adopted set of building codes in the U.S. and around the world.

Several Maryland jurisdictions currently adopt and enforce the ISPSC² or use provisions from the code. Others require permits and inspections for pools and spas but reference out of date legacy regulations. This approach causes a patchwork of jurisdiction specific requirements across Maryland that do not take advantage of safer and more energy efficient construction practices that up-to-date codes and standards provide (e.g. solar thermal water heating). Passing SB 319 reduces industry confusion and promotes compliance through a consistent set of pool and spa regulations that are seamlessly designed to integrate with the building, plumbing, mechanical, residential and other construction codes used throughout Maryland. Additional advantages to adopting the ISPSC are listed on the attached document. The Code Council appreciates the Committee's consideration and urges a favorable vote.

Thank you for your service,

A handwritten signature in cursive script that reads "Jacob Karson".

Jacob Karson
Government Relations Coordinator
International Code Council

¹ The scope of the ISPSC does not address operations and maintenance of swimming pools and spas.

² Anne Arundel, Cecil, Montgomery, and Wicomico counties, as well as Annapolis, Baltimore, and Gaithersburg Cities adopt the ISPSC directly or by reference.

HB 303 / SB 319 Public Safety – Maryland Swimming Pool and Spa Standards Adoption v1/19/22

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. Most jurisdictions use outdated safety standards for pool and spa construction and many lack comprehensive codes that address design and construction of pools and spas. Unlike statewide adopted building codes, requirements for residential pools are vastly different creating a patchwork of regulations and requirements for public pools are severely outdated; [some are over 20 years old](#). HB 303 and SB 319 remedies this by adopting the most recent edition of the International Swimming Pool and Spa Code (ISPSC) using the same recognized process Maryland employs for the adoption of the International Building Code, International Residential, and International Energy Conservation Code.

BENEFITS of adopting the ISPSC:

- Enhances residential pool barrier requirements, reducing drowning incidents and ensures compliance with Virginia Graeme Baker Act which is designed to eliminate entrapment incidents.
- Is 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.
- Is 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 Maryland's suite of codes.
- [Requirements are easily accessible and free for public viewing.](#)

Synopsis – HB 303 and SB 319 creates the Maryland Swimming Pool and Spa Standards and adopts the ISPSC by regulation with an initial implementation date of June 1, 2023. The proposed language follows [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). The Department of Labor shall consult with the Department of Health during review of the ISPSC. Local jurisdictions may adopt local amendments so long as the amendments do not weaken energy conservation and efficiency provisions. Also notable in the legislation:

- The Department of Labor 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 so long as they do not weaken energy efficiency provisions.