



TESTIMONY

COMMITTEE: House Environment and Transportation

DATE: March 3, 2026

POSITION: Unfavorable

BILL: HB 1104

The Maryland Municipal League (MML) **strongly opposes HB 1104**. While MML supports the expansion of renewable energy in Maryland, this legislation compromises public safety by stripping local governments of their ability to perform meaningful inspections and manual reviews of complex residential solar and energy storage installations. By mandating automated approval software and restricting local oversight, HB 1104 prioritizes industry convenience over the structural and fire safety of Maryland residents. Further, it imposes unprecedented legal and financial constraints that effectively penalize municipalities for maintaining the professional standards necessary to protect their communities.

The installation of a residential solar system is not a minor cosmetic upgrade; it involves significant structural loads and complex high-voltage electrical integration. HB 1104 creates dangerous precedents by mandating remote inspections. Our members believe remote inspections are a good tool but should not be the standard.

While some Maryland jurisdictions currently utilize remote inspections as a supplemental tool for minor, low-risk projects, they do so with the critical understanding that an in-person, 'spot-check' inspection remains a constant possibility. This 'threat' of a physical inspection is the primary mechanism for maintaining contractor integrity and ensuring that the work performed matches the photos submitted. HB 1104 removes this deterrent by mandating acceptance of remote approvals. Without the accountability of a physical site visit, the state is effectively creating a 'trust-based' system for high-voltage, structurally significant installations. **This 'honor system' for an industry driven by speed and volume is a significant gamble with the safety of Maryland homeowners.**

Even if an inspector fails an installation or identifies a clear structural flaw or a dangerous electrical configuration, they are legally barred under HB 1104 from triggering an in-person inspection to rectify it. By stripping away the authority to intervene when a trained professional expert identifies a risk in a remote inspection, HB 1104 ensures that permitting speed isn't just a priority—it is a mandate that supersedes the professional duty to protect the public. We cannot support a bill that legally prevents a safety official from doing their job when they see a threat to life and property.

Beyond the lack of manual oversight, HB 1104 seeks to bypass the critical local amendments that Maryland's municipalities have adopted to supplement state building codes. By limiting review to statewide building electrical, and fire codes, this bill effectively preempts local building and fire codes that have been tailored to address specific geographic risks, high-density residential layouts, and historical building stocks. A statewide 'one-size-fits-all' code

check is insufficient for the diverse architectural landscape of Maryland's 157 municipalities and represents a dangerous erosion of the home-rule authority necessary to protect our residents' unique local environments.

Currently, a local building official might review a solar permit for a variety of reasons: zoning compliance, aesthetic "historic district" guidelines, property line setbacks, or specific local amendments to the building code.

By stating the review "shall be limited to a determination whether the application meets all health and safety requirements," the bill effectively strikes down "non-safety" standards. If a town has a rule about where panels can be placed for aesthetic reasons (like not being visible from the street in a historic area), this bill would likely make that rule unenforceable because it isn't a "health or safety" requirement.

Furthermore, the bill seeks to cap permitting and inspections fees, which are currently set locally to cover the actual cost of professional staff and specialized training. When the state caps these fees, local taxpayers are forced to subsidize the administrative costs of private solar companies.

Finally, HB 1104 introduces an unusual enforcement mechanism by authorizing the Attorney General to seek judicial action against a municipality for administrative non-compliance. Typically, the Attorney General's office is tasked with protecting broad public interests, such as consumer protection, civil rights, or environmental safety. Elevating a local permitting dispute, centered on software adoption and fee structures, to the level of Attorney General intervention is an unprecedented escalation. We believe that disputes regarding local administrative processes are best handled through existing local governance and judicial channels, rather than involving the state's highest law enforcement office in the daily permitting operations of Maryland's cities and towns.

In conclusion, while the Maryland Municipal League supports the transition to a greener energy future, the safety of our residents cannot be negotiated for the sake of administrative speed. **HB 1104 creates a dangerous "trust-based" system that sidelines human expertise, undermines local building codes, and effectively silences safety officials through unprecedented legal and financial constraints.** We believe that a roof-mounted solar array—carrying significant weight and high-voltage electricity—deserves more than an automated "rubber stamp" and a remote photo. We urge the Committee to protect the integrity of local code enforcement and the safety of Maryland families by maintaining the professional oversight that our communities rely on.

For these reasons, the Maryland Municipal League respectfully requests an unfavorable report on HB 1104.

For more information relating to this piece of testimony, please contact:

Justin Fiore: Director, Advocacy and Public Policy, justinf@mdmunicipal.org