

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-TWO

—
S.P. 680 - L.D. 1940

An Act To Ensure That Building Codes Allow the Installation and Use of Refrigeration and Air Conditioning Products and Equipment That Use Certain Federally Regulated Refrigerants

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 10 MRSA §9722, sub-§6, ¶I, as amended by PL 2021, c. 293, Pt. A, §18, is further amended to read:

I. Approve methods of energy performance rating for use in generating any consumer information labels that may be required in the marketing and sale of residential and commercial buildings or units within buildings; ~~and~~

Sec. 2. 10 MRSA §9722, sub-§6, ¶O, as enacted by PL 2019, c. 392, §3, is amended to read:

O. No later than July 1, 2020, adopt, amend and maintain an appendix to the Maine Uniform Building and Energy Code as an optional part of the code that contains energy conservation and efficiency requirements that are based on established national voluntary efficiency standards that exceed the energy code requirements established in the Maine Uniform Building and Energy Code. As the code is updated, the board shall ensure that the energy conservation and efficiency requirements in the appendix continue to exceed the requirements established in the Maine Uniform Building and Energy Code. The appendix must be made available for voluntary adoption by any municipality. The board shall maintain a list of municipalities that have voluntarily adopted the appendix to the Maine Uniform Building and Energy Code on its publicly accessible website; ~~and~~

Sec. 3. 10 MRSA §9722, sub-§6, ¶P is enacted to read:

P. Ensure, through the adoption of necessary amendments, that the Maine Uniform Building and Energy Code expressly allows the installation and use of acceptable refrigeration or air conditioning products or equipment as defined in section 9724, subsection 7.

Sec. 4. 10 MRSA §9724, sub-§5, as amended by PL 2011, c. 582, §1, is further amended to read:

5. Exception. This Except as provided in subsection 7, this section does not prohibit the adoption or enforcement of an ordinance of any political subdivision that sets forth provisions for local enforcement of building codes. If such an ordinance does not provide for a process to appeal decisions made by building officials administering and enforcing the Maine Uniform Building Code, the Maine Uniform Energy Code or the Maine Uniform Building and Energy Code, an appeal may be taken in the same manner as provided under Title 30-A, section 4103, subsection 5. This section does not prohibit the adoption or enforcement of an ordinance of any political subdivision that sets forth the swimming pool fencing standards, without amendment, contained in Appendix G of the 2nd edition of the 2009 International Residential Code.

A. The requirements of the Maine Uniform Building and Energy Code do not apply to:

- (1) Log homes or manufactured housing as defined in chapter 951;
- (2) Post and beam or timber frame construction; or
- (3) Warehouses or silos used to store harvested crops.

Sec. 5. 10 MRSA §9724, sub-§7 is enacted to read:

7. Installation or use of certain refrigeration or air conditioning products or equipment. Notwithstanding subsection 5, paragraph A or any other provision of this chapter to the contrary, a municipality may not adopt or enforce any provision of a building code, including the Maine Uniform Building Code, the Maine Uniform Energy Code or the Maine Uniform Building and Energy Code, that prohibits the installation or use of acceptable refrigeration or air conditioning products or equipment.

As used in this subsection, "acceptable refrigeration or air conditioning products or equipment" means refrigeration or air conditioning products or equipment that:

A. Uses a refrigerant listed by the United States Environmental Protection Agency in regulations adopted pursuant to 42 United States Code, Section 7671k as acceptable, acceptable subject to use conditions or acceptable subject to narrowed use limits; and

B. Is installed in accordance with any applicable conditions or limitations imposed by the regulations described in paragraph A.