

Department of Legislative Services
Maryland General Assembly
2018 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

House Bill 1486
Economic Matters

(Delegate McComas)

Judicial Proceedings

Public Safety - Solar Photovoltaic Systems - Lockout Tag Requirement

This bill requires each company that installs solar photovoltaic (PV) systems to install a lockout tag at each residential installation at the time of installation. A company that fails to do so is subject to a fine of \$100 to \$500. The individual who is required to inspect a solar PV system for compliance with applicable code standards must enforce the bill. The local government that performs or oversees the inspection retains any associated penalty revenue. The bill must be construed to apply only prospectively and may not be applied or interpreted to have any effect on or application to any installation of a residential solar PV system before the bill's October 1, 2018 effective date. **The bill terminates December 31, 2021.**

Fiscal Summary

State Effect: The bill does not materially affect State finances or operations.

Local Effect: Local governments can handle the bill's requirements with existing budgeted resources as part of the ongoing permitting and inspection process. The bill's penalty provisions are not anticipated to materially affect local revenues.

Small Business Effect: Minimal.

Analysis

Current Law: There is no requirement that a solar company install a lockout tag on a solar PV system.

The policing of the electrical profession primarily occurs through locally issued permits and locally conducted inspections. Every county in Maryland has a building permit office, the primary function of which is to issue a permit that gives the right to perform specific work on a designated site or project. The permit office sends an inspector to each ongoing project to ensure that work on the project complies with applicable codes. Noncompliance with established standards is normally addressed between the inspector and the licensed electrician, who is expected to bring the project up to code. If the individual does not remedy the problem, the inspector may report the violation to the applicable licensing board.

Background: As of March 2018, there were about 55,000 solar installations in the State, the vast majority of which are small residential installations. The bill addresses a potential electrocution hazard in residential solar PV systems that is not currently addressed by the National Electric Code.

Local Fiscal Effect: Local governments can verify that lockout tags have been installed on residential solar PV systems through the existing permitting and inspection process, although there is no guarantee that a lockout tag will remain in place after the inspection is complete. The bill's penalty provisions are not anticipated to materially affect local revenues.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Public Service Commission; Baltimore City; Montgomery County; City of Takoma Park; Maryland Association of Counties; PJM Environmental Information Services, Inc.; Department of Legislative Services

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