

Chapter 279

(House Bill 586)

AN ACT concerning

Public Safety – Solar Photovoltaic Systems – Lockout Tag Requirement *and Study*

FOR the purpose of requiring a company that ~~leases~~ *installs* solar photovoltaic systems to install a certain lockout tag containing a safety warning under certain circumstances; ~~requiring a certain company to provide a certain customer with a certain lockout tag for a solar photovoltaic system that has previously been installed; providing for the enforcement of this Act; establishing a penalty for certain violations of this Act; specifying that a local government shall retain certain funds;~~ defining certain terms; *requiring the Department of Labor, Licensing, and Regulation to make a certain report to certain committees of the General Assembly on or before a certain date;* and generally relating to safety warnings for solar photovoltaic installations.

BY adding to
Article – Public Safety
Section 12–705
Annotated Code of Maryland
(2018 Replacement Volume)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Public Safety

12–705.

(A) ~~(1)~~ IN THIS SECTION ~~THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.~~

~~(2) “KNIFE BLADE DISCONNECT SWITCH BOX” MEANS A CONTROL SWITCH FOR A SOLAR PHOTOVOLTAIC INSTALLATION AT A RESIDENTIAL PROPERTY.~~

~~(3) “LOCKOUT, “LOCKOUT TAG” MEANS A TAG THAT:~~

~~(1)~~ (1) SEALS A KNIFE BLADE DISCONNECT SWITCH BOX CLOSED;

~~(2)~~ (2) IS ATTACHED TO THE EXTERIOR OF THE KNIFE BLADE DISCONNECT SWITCH BOX WITH A METAL OR PLASTIC STRAP; AND

~~(H)~~ **(3)** INCLUDES A SAFETY WARNING ABOUT THE POTENTIAL FOR ELECTROCUTION IF AN INDIVIDUAL REMOVES THE LOCKOUT TAG OR TOUCHES THE CONTENTS OF THE KNIFE BLADE DISCONNECT SWITCH BOX.

(B) ~~(1)~~ A COMPANY THAT ~~LEASES~~ INSTALLS SOLAR PHOTOVOLTAIC SYSTEMS SHALL INSTALL A LOCKOUT TAG AT EACH RESIDENTIAL INSTALLATION AT THE TIME OF INSTALLATION.

~~(2) A COMPANY THAT HAS PREVIOUSLY INSTALLED A SOLAR PHOTOVOLTAIC SYSTEM ON A RESIDENTIAL PROPERTY SHALL PROVIDE THE CUSTOMER WITH A LOCKOUT TAG WITH DIRECTIONS ON HOW THE LOCKOUT TAG SHOULD BE ATTACHED TO THE KNIFE BLADE DISCONNECT SWITCH BOX.~~

~~(C) (1) A COMPANY THAT LEASES SOLAR PHOTOVOLTAIC SYSTEMS SUBJECT TO THIS SECTION IS SUBJECT TO A CIVIL PENALTY OF AT LEAST \$100 BUT NOT MORE THAN \$500 IF THE COMPANY FAILS TO:~~

~~(I) INSTALL A LOCKOUT TAG ON A NEW INSTALLATION; OR~~

~~(H) PROVIDE TO A CUSTOMER A LOCKOUT TAG FOR A SOLAR PHOTOVOLTAIC SYSTEM THAT THE COMPANY PREVIOUSLY INSTALLED.~~

~~(2) THE INDIVIDUAL WHO IS REQUIRED TO INSPECT A SOLAR PHOTOVOLTAIC SYSTEM FOR COMPLIANCE WITH APPLICABLE CODE STANDARDS SHALL ENFORCE THE REQUIREMENT UNDER SUBSECTION (B) OF THIS SECTION.~~

~~(3) THE LOCAL GOVERNMENT THAT PERFORMS OR OVERSEES THE INSPECTION REQUIRED UNDER PARAGRAPH (2) OF THIS SUBSECTION SHALL RETAIN ANY PENALTY COLLECTED FOR A VIOLATION OF THIS SECTION.~~

SECTION 2. AND BE IT FURTHER ENACTED, That on or before December 1, 2019, the Department of Labor, Licensing, and Regulation shall report to the House Economic Matters Committee and the Senate Finance Committee, in accordance with § 2-1246 of the State Government Article, on:

(1) the advisability of requiring:

(i) the provision of lockout tags, as defined in § 12-705(a) of the Public Safety Article as enacted by Section 1 of this Act, to residential customers with solar photovoltaic systems installed on their property;

(ii) the provision of notice about the safety benefits of lockout tags to residential customers with solar photovoltaic systems installed on their property; and

(iii) any other more effective method of making customers aware of the safety benefits of lockout tags to residential customers with solar photovoltaic systems installed on their property; and

(2) the most effective method of implementing any recommendation made under item (1) of this section.

SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2019.

Approved by the Governor, April 30, 2019.