

(IV) "BUILDING" DOES NOT INCLUDE A STRUCTURE WITH A PERMANENT HEATING AND COOLING SYSTEM WHICH UTILIZES A SOURCE OTHER THAN NATURAL GAS, A PETROLEUM PRODUCT, OR ELECTRICITY.

(V) "BUILDING" DOES NOT INCLUDE ANY INDUSTRIAL BUILDING AS DEFINED IN SECTION 266EE-2 OF ARTICLE 41 OF THE CODE WHICH BEARS AN INSIGNIA FURNISHED BY THE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT UNDER SECTION 266EE-4 OF ARTICLE 41 OF THE CODE.

(VI) "BUILDING" DOES NOT INCLUDE ANY MOBILE HOME AS DEFINED IN SECTION 266EE-2 OF THE CODE WHICH BEARS AN INSIGNIA ISSUED BY THE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT UNDER SECTION 266EE-8 OF ARTICLE 41 OF THE CODE.

(B) (1) EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION, A BUILDER OF ANY NEW BUILDING THAT IS COMPLETED AFTER JULY 1, 1982 AND PRIOR TO JULY 1, 1987, SHALL CERTIFY UNDER OATH OR AFFIRMATION TO THE ELECTRIC COMPANY DESIGNATED TO PROVIDE ELECTRIC SERVICE TO THE BUILDING THAT THE BUILDING MEETS ~~THE MOST RECENT ASHRAE STANDARDS THAT HAVE BEEN ADOPTED BY THE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT UNDER § 257N OF ARTICLE 41, OF THE CODE~~ THE LATEST EDITION OF THE BOCA ENERGY CODE. HOWEVER, IF THE BUILDING WAS DESIGNED WHILE THE IMMEDIATELY PRECEDING EDITION OF THE BOCA ENERGY CODE WAS IN EFFECT AND THE BUILDING WAS CONSTRUCTED IN ACCORDANCE WITH THE THEN PRECEDING EDITION OF THE BOCA CODE, THE BUILDER MAY SO CERTIFY IN ORDER TO SATISFY THE REQUIREMENTS OF THIS SUBSECTION.

(2) IF THE BUILDER IS A CORPORATION, THE CERTIFICATE SHALL BE SUBMITTED UNDER OATH OR AFFIRMATION BY AN OFFICER OF THE CORPORATION.

(3) IF IT IS LATER DETERMINED THAT THE BUILDING DID NOT CONFORM TO THE ENERGY CONSERVATION STANDARDS TO WHICH THE BUILDER HAS CERTIFIED OR THAT A FALSE WAIVER WAS PROVIDED TO THE ELECTRIC COMPANY BY THE BUILDER, THE ELECTRIC COMPANY MAY NOT BE HELD LIABLE FOR THAT NONCOMPLIANCE.

(4) THE CERTIFICATION REQUIRED UNDER THIS SUBSECTION SHALL BE MADE ON A FORM THAT IS PROVIDED BY THE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT AND FILED BY THE BUILDER IN PERSON OR BY CERTIFIED MAIL (RETURN RECEIPT) WITH THE ELECTRIC COMPANY. THE FORM SHALL CONTAIN A STATEMENT TO THE EFFECT THAT ANY ACTION BROUGHT BY THE FIRST PURCHASER AGAINST THE BUILDER UNDER SUBSECTION (F) OF THIS SECTION MAY BE BROUGHT WITHIN 3 YEARS OF THE DATE ON WHICH THE BUILDER PROVIDED THE FIRST PURCHASER WITH A COPY OF THE CERTIFICATE OR THE WAIVER UNDER PARAGRAPH (E)(1) OF THIS SECTION.