

WHEREAS, 19 counties and 59 municipalities in Maryland enforce nine different codes based on various different editions of two national model codes and five counties have no building code; and

WHEREAS, This lack of uniformity in building code requirements throughout the State causes confusion and inefficiencies for members of the building industry; and

WHEREAS, It is important to eliminate and reduce bureaucratic inefficiencies in the construction industry in an effort to reduce construction costs, encourage economic development, and increase and maintain the availability of affordable housing in the State; and

WHEREAS, It is necessary and appropriate to tailor national building standards to meet local concerns and special needs related to the oversight of construction; and

WHEREAS, The Governor appointed a Task Force on Uniform Maryland Building Performance Standards consisting of 35 members representing local building and fire officials, State and local elected and appointed officials, the general public, and the private sector building community including engineers, homebuilders, architects, and contractors; and

WHEREAS, The Governor's Task Force recommends the adoption of legislation establishing Maryland Building Performance Standards based on the BOCA National Building Code, which is the national code followed in most local jurisdictions; and

WHEREAS, The Task Force recommends that local jurisdictions be able to adopt more or less stringent amendments to the Maryland Building Performance Standards and submit the local amendments to the Department of Housing and Community Development for inclusion in a central automated data base that can be accessed by both the public and private sector to obtain accurate and current information about the building and fire code requirements in any jurisdiction in the State; and

WHEREAS, The Task Force recommends staggered effective dates for the applicability of the Maryland Building Performance Standards to ensure that local jurisdictions with no building code or following a national code other than BOCA receive the necessary time and assistance to make the transition to the Maryland Building Performance Standards; now, therefore,

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

Article 83B – Department of Housing and Community Development

6-101.

(a) The General Assembly of Maryland finds that the potential benefits of new materials and techniques for building construction are not readily available to Maryland, in part because existing building codes are so written as to preclude their use. [However, modification of such regulations, where they exist, cannot be readily made because the techniques and skills needed to utilize different types of building codes are beyond the background of some of the existing officials. They cannot reasonably be expected to enforce significantly modified regulations without additional training.] Moreover, several