

that law because the Energy Code is not required under that Act. The Energy Code is part of the Maryland Building Performance Standards, so the Energy Code is required under this subtitle, not the Energy Conservation Building Standards Act.

In subsection (c) of this section, the former phrase "within the State, a county, or municipality" is deleted as surplusage.

The Public Safety Article Review Committee notes, for consideration by the General Assembly, that the State Fire Marshal, not the State Fire Prevention Commission, enforces the Electrical Code referenced in subsection (a)(4) of this section. Similarly, the Public Safety Article Review Committee notes that local jurisdictions, not the Public Service Commission, enforce the Energy Code referenced in subsection (a)(5) of this section.

Defined terms: "Building" § 12-501

"County" § 1-101

"Standards" § 12-501

"Structure" § 12-501

12-503. MARYLAND BUILDING PERFORMANCE STANDARDS.

(A) ADOPTION REQUIRED.

(1) THE DEPARTMENT SHALL ADOPT BY REGULATION, AS THE MARYLAND BUILDING PERFORMANCE STANDARDS, THE INTERNATIONAL BUILDING CODE WITH THE MODIFICATIONS INCORPORATED BY THE DEPARTMENT UNDER SUBSECTION (B) OF THIS SECTION.

(2) THE DEPARTMENT SHALL ADOPT EACH SUBSEQUENT VERSION OF THE STANDARDS WITHIN 12 MONTHS AFTER IT IS ISSUED.

(B) MODIFICATIONS TO INTERNATIONAL BUILDING CODE.

(1) BEFORE ADOPTING EACH VERSION OF THE STANDARDS, THE DEPARTMENT SHALL:

(I) REVIEW THE INTERNATIONAL BUILDING CODE TO DETERMINE WHETHER MODIFICATIONS SHOULD BE INCORPORATED IN THE STANDARDS;

(II) ACCEPT WRITTEN COMMENTS;

(III) CONSIDER ANY COMMENTS RECEIVED; AND

(IV) HOLD A PUBLIC HEARING ON EACH PROPOSED MODIFICATION.

(2) THE DEPARTMENT MAY NOT ADOPT, AS PART OF THE STANDARDS, A MODIFICATION OF A BUILDING CODE REQUIREMENT THAT IS MORE STRINGENT THAN THE REQUIREMENT IN THE INTERNATIONAL BUILDING CODE.

(C) APPLICABILITY.