

**§1415-G. Electric heating systems; subsidized housing**

**1. Residential construction, remodeling and renovation.** During the construction, remodeling or renovation of a multifamily residential structure, a person may not install electric resistance space heating equipment as the primary heating system if that construction, remodeling or renovation is funded in whole or in part by public funds, guarantees or bond proceeds unless:

- A. The person obtains a waiver from the commission in accordance with subsection 2; or [PL 2019, c. 306, §1 (NEW).]
- B. The structure meets a standard for calculated heat load established by the commission by rule or order. [PL 2019, c. 306, §1 (NEW).]

For purposes of this section, "multifamily residential structure" means a residential structure with more than one dwelling unit and "electric resistance space heating equipment" does not include electric thermal storage space heating equipment, a high-performance air source heat pump that satisfies minimum heating performance standards of the Efficiency Maine Trust or a geothermal heat pump. [PL 2019, c. 306, §1 (RPR).]

**2. Waiver.** After written petition from a building owner, the commission shall grant a waiver from subsection 1 if the building design conforms to the residential standards set forth in subsection 3 or 4. A waiver granted by the commission under this subsection must be in writing and state the commission's reason for granting the waiver. [PL 2005, c. 350, §11 (AMD).]

**3. Residential standards; electric heat.** If the commission grants a waiver under subsection 2, the building owner shall renovate the building or construct a new building so that the entire building conforms to the minimum energy efficiency standards established in this section. If a waiver is granted under subsection 2 for a building to be remodeled or a building that receives an addition, only the remodeled portion of the building or the addition must conform to the following minimum energy efficiency standards.

- A. All ceilings that face an outdoor or unheated space must be insulated to an R-value of 57 or greater. [PL 1991, c. 275, §3 (NEW); PL 1991, c. 275, §§4, 5 (AFF).]
- B. All walls that face an outdoor or unheated space must be insulated to an R-value of 38 or greater. [PL 1991, c. 275, §3 (NEW); PL 1991, c. 275, §§4, 5 (AFF).]
- C. All floors over unheated spaces must be insulated to an R-value of 25 or greater. [PL 1991, c. 275, §3 (NEW); PL 1991, c. 275, §§4, 5 (AFF).]
- D. Slab-on-grade floors must have perimeter insulation of either:
  - (1) R-15 when the insulation extends downward from the top of the slab to the design frost line; or
  - (2) R-15 when the insulation extends around the perimeter and horizontally or diagonally beneath or away from the slab for a distance equivalent to the depth of the frost line. [PL 1991, c. 275, §3 (NEW); PL 1991, c. 275, §§4, 5 (AFF).]
- E. All foundation walls adjacent to a heated space must be insulated from the top of the foundation to the frost line to an R-value of 19 or greater. [PL 1991, c. 275, §3 (NEW); PL 1991, c. 275, §§4, 5 (AFF).]
- F. All windows and glass in doors, when the glass in the door constitutes 1/3 or more of the door area, must have a total window unit R-value of 2.5 or greater. [PL 1991, c. 275, §3 (NEW); PL 1991, c. 275, §§4, 5 (AFF).]

G. All exterior doors must be insulated or equipped with a storm door. [PL 1991, c. 275, §3 (NEW); PL 1991, c. 275, §§4, 5 (AFF).]

H. All new construction and renovation must comply with infiltration and ventilation standards established by the commission. [PL 2005, c. 350, §11 (AMD).]  
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**4. Performance-based compliance.** The commission may waive the requirements of subsection 3 for any building if the commission determines that the building's calculated annual energy consumption is not greater than the annual energy consumption of a similar building constructed in accordance with subsection 3.

[PL 2013, c. 120, §11 (AMD).]

**5. Violation.** A building owner who violates this section or rules adopted under this section commits a civil violation for which a fine of not less than \$100 nor more than 5% of the value of construction must be adjudged.

[PL 2005, c. 350, §11 (AMD).]

**6. Notification.** An agency, municipality or granting authority that provides a housing subsidy as described in this section must notify the commission that the application complies with the residential energy requirements of this section. Notification must be in a form prescribed by rule by the commission.

[PL 2005, c. 350, §11 (AMD).]

#### SECTION HISTORY

PL 1991, c. 275, §3 (NEW). PL 1991, c. 275, §§4,5 (AFF). PL 2003, c. 20, §RR8 (AMD). PL 2003, c. 20, §RR18 (AFF). PL 2005, c. 350, §11 (AMD). PL 2011, c. 300, §2 (AMD). PL 2013, c. 120, §11 (AMD). PL 2019, c. 306, §1 (AMD).

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