

Bill No. 6-14
Concerning: Environmental Sustainability
- Office of Sustainability - Established
Revised: 4/17/2014 Draft No. 3
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Enacted: June 10, 2014
Executive: _____
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Ch. _____, Laws of Mont. Co. _____

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND**

By: Councilmembers Berliner, Floreen, and Riemer, Council Vice President Leventhal, and
Councilmembers Andrews, and Navarro

AN ACT to:

- (1) create a Office of Sustainability in the Department of Environmental Protection;
- (2) create a Office of Energy and Sustainability in the Department of General Services;
- (3) specify the duties of ~~[[the Office]]~~ these Offices;
- ~~[[3]]~~ (4) repeal and reassign the duties of the Sustainability Working Group; and
- ~~[[4]]~~ (5) generally amend County law on environmental sustainability.

By amending

Montgomery County Code
Chapter 8, Buildings
Section 8[[A]]-14B

Chapter 18A, Environmental Sustainability
Sections 18A-12, 18A-13, 18A-14, 18A-15, 18A-16, 18A-17, 18A-19, 18A-20, and 18A-23

Chapter 40, Real Property
Section 40-13B

By deleting

Chapter 8, Buildings
Section 8-14C and 8-53
Chapter 18A, Environmental Sustainability
Sections 18A-15 and 18A-16

Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

The County Council for Montgomery County, Maryland approves the following Act:

1 **Sec. 1. Sections 8-14B, 18A-12, 18A-13, 18A-14, 18A-15, 18A-16, 18A-17,**
 2 **18A-19, 18A-20, 18A-23, and Section 40-13B are amended, and Sections 8-14C,**
 3 **8-53, 18A-15, and 18A-16 are deleted as follows:**

4 **8-14B. County buildings - energy unit savings plans, energy cost savings plans,**
 5 **and energy performance contracts.**

6 (a) *Definitions.* In this Section, the following words have the meanings
 7 indicated:

8 [“]County building[”] means a building which is owned or leased by the
 9 County.

10 [“]Energy baseline[”] means the amount of energy consumed each year
 11 by a County building based on historical metered data, engineering
 12 calculations, submetering of buildings or energy consuming systems,
 13 building load simulation models, statistical regression analysis, or any
 14 combination of those methods.

15 [“]Energy cost savings plan[”] means a plan to reduce a County
 16 building’s energy costs, including related operation and maintenance
 17 costs.

18 [“]Energy performance contract[”] means a contract which provides for
 19 the performance of services for the design, acquisition, installation,
 20 testing, operation, maintenance, or repair of an identified energy
 21 conservation measure or series of measures in a County building.

22 [“]ENERGY STAR rating[”] means the ENERGY STAR rating
 23 developed by the federal Environmental Protection Agency which
 24 reflects a building’s energy efficiency.

25 [“]Energy unit savings plan[”] means a plan to reduce the amount of
 26 energy used by a County building, as measured in kilowatt hours or
 27 British thermal units.

28 ["*National energy performance rating system*"] means the rating
 29 system developed by the federal Environmental Protection Agency
 30 under which a building may obtain the ENERGY STAR rating.

31 Office of Energy and Sustainability or Office means the Office of
 32 Energy and Sustainability in the Department of General Services
 33 created under Section 18A-[[13]]14.

34 ["Sustainability Working Group" means the Group defined in Section
 35 18A-13.]

36 (b) *Requirements.* The Office of Energy and Sustainability [Working
 37 Group] must:

38 (1) develop an energy baseline, energy unit savings plan, and energy
 39 cost savings plan for each County building;

40 (2) submit an initial report to the County Executive and County
 41 Council by [[January 15,]] [2009] February 1, 2015 which
 42 summarizes the energy baseline, energy unit savings plan, and
 43 energy cost savings plan for each County building; and

44 (3) submit an annual report to the County Executive and County
 45 Council by [[January 15]] February 1 of each year that
 46 summarizes the steps taken in the preceding fiscal year to
 47 implement the energy unit savings plan and energy cost savings
 48 plan for each County building.

49 (c) *Energy performance contracts.* Each energy unit savings plan and
 50 energy cost savings plan that the [Sustainability Working Group] Office
 51 prepares under subsection (b) must include a plan to use an energy
 52 performance contract unless the [Sustainability Working Group] Office
 53 finds that the cost of using an energy performance contract outweighs
 54 the benefit.

55 **[8-14C. Private buildings - incentives.]**56 [(a) *Study.* The Sustainability Working Group must evaluate:57 (1) options for creating incentives for the owners of commercial,
58 multi-family residential, or single-family residential buildings to
59 modify the buildings to increase their energy efficiency and60 (2) options to minimize the impact on affordable housing of
61 achieving the ENERGY STAR rating under the national energy
62 performance rating system.63 (b) *Report.* The Sustainability Working Group must submit a report to the
64 County Executive and County Council by January 15, 2009 regarding
65 the Group's findings and recommendations.]66 **[8-53. ASHRAE/USGBC/IESNA standards.]**

67 [(a) Definitions.

68 "ASHRAE/USGBC/IESNA Standard 189.1" means the standard for
69 high-performance green buildings developed by the American Society
70 of Heating, Refrigerating and Air-Conditioning Engineers, the U.S.
71 Green Buildings Council, and the Illuminating Engineering Society of
72 North America.

73 (b) The Sustainability Working Group must:

74 (1) evaluate the costs and benefits of adopting the
75 ASRAE/USGBVC/IESNA Standard 189.1; and76 (2) recommend to the County Executive and County Council by
77 January 15, 2009, whether the County should adopt the
78 ASHRAE/USGBC/IESNA Standard 189.1, particularly the
79 energy efficiency section, or any other building performance
80 standard.]81 **18A-12. Definitions.**

82 In this Article, the following words have the meanings indicated:

83 [“*Cap and trade program*”] means a program that places a limit on the
84 aggregate net greenhouse gas emissions of the participants, while allowing the
85 transfer or sale of greenhouse gas emission allowances.

86 [“*Carbon dioxide equivalent*”] means a given weight of a greenhouse gas
87 that has the same global warming potential, measured over a specified time, as
88 a given weight of carbon dioxide.

89 [“*Climate Protection Plan*”] means the plan to reduce the level of
90 Countywide greenhouse gas emissions prepared under Section 18A-~~[[14]]~~15.

91 [“*Countywide greenhouse gas emissions*”] means the total annual greenhouse
92 gas emissions in the County, measured in tons of carbon dioxide equivalents,
93 including all emissions from electricity generated outside the County but
94 consumed in the County.

95 [“*Department*”] means the Department of Environmental Protection.

96 [“*Director*”] means the Director of the Department or the Director’s
97 designee.

98 [“*Greenhouse gas*”] includes carbon dioxide, methane, nitrous oxide,
99 hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride, and any other
100 gas or substance the Director finds to be a significant contributor to global
101 warming.

102 *Home Energy Score* means an evaluation of the energy efficiency of a home
103 using the process developed by the United States Department of Energy.

104 [[*Office of Sustainability* or *Office* means the *Office of Sustainability* created
105 in *Section 18A-13.*]]

106 *Sustainability* means the creation and maintenance of conditions under which
107 humans and nature can exist in productive harmony and permit fulfilling the
108 social, economic, and other requirements of present and future generations.

109 **18A[.]-13. [Sustainability Working Group] Department of Environmental**
110 **Protection – Office of Sustainability.**

111 [(a) *Definition.* In this Section, “Group” means the Sustainability Working
112 Group.]

113 [(b) *Established.* The Executive must appoint, subject to confirmation by
114 the Council, a Sustainability Working Group.]

115 [(c) *Members.*

116 (1) The Group has 26 members.

117 (2) The Executive must appoint a representative from each of the
118 following Departments to serve as an ex officio member:

119 (A) Environmental Protection;

120 (B) Economic Development;

121 (C) Finance;

122 (D) General Services;

123 (E) Management and Budget;

124 (F) Permitting Services;

125 (G) Public Information; and

126 (H) Transportation

127 (3) The Executive must invite one representative from each of the
128 following to serve as an ex officio member:

129 (A) County Council;

130 (B) County Planning Board;

131 (C) Washington Suburban Sanitary Commission;

132 (D) Montgomery County Public Schools;

133 (E) Montgomery College;

134 (F) a municipal government in the County; and

135 (G) an appropriate regional organization.

- 136 (4) The Executive must appoint 11 public members. The public
 137 members should include:
- 138 (A) representatives of the business community;
 - 139 (B) representatives of land development or building interests;
 - 140 (C) representatives of energy distribution or supply firms;
 - 141 (D) persons with expertise in stormwater management;
 - 142 (E) persons with expertise in clean energy and air quality;
 - 143 (F) persons with expertise in forest and habitat protection;
 - 144 (G) members of civic organizations active in County affairs;
 - 145 (H) persons with scientific and academic expertise; and
 - 146 (I) representatives of communications and media interests.
- 147 (5) The term of each member is 3 years. If a member is appointed to
 148 fill a vacancy before a term expires, the successor serves the rest
 149 of the unexpired term.]
- 150 [(d) *Voting, officers, chairs, meetings, and compensation.*
- 151 (1) Each member of the Group is a voting member.
 - 152 (2) The Executive must designate the Director of the Department of
 153 Environmental Protection and a public member to be Co-chairs.
 - 154 (3) The Group meets at the call of the Co-chairs. The Group must
 155 meet as often as necessary to perform its duties, but not less than
 156 quarterly.
 - 157 (4) A member serves without compensation. However, a member
 158 may request reimbursement for mileage and dependent care costs
 159 at rates established by the County.]
- 160 [(e) *Subcommittees.* The Co-chairs, with the approval of the Group, may
 161 create one or more subcommittees to assist in carrying out any function
 162 of the Group. Any subcommittee must consist of at least 3 members.

163 Any subcommittee action is not the action of the Group and must not
164 bind the Group or its members. The Co-chairs must select the chair and
165 members of each subcommittee, which may include persons who are
166 not members of the Group. However, the chair of each subcommittee
167 must be a member of the Group.]

168 [(f) *Duties.* By January 15, 2009, the Group must:

- 169 (1) conduct the greenhouse gas emissions inventory and recommend
170 the Climate Protection Plan as required under Section 18A-14;
- 171 (2) conduct the annual inventory of the County's sport utility
172 vehicles and develop criteria to identify positions in County
173 government that should be assigned sports utility vehicles as
174 required under Section 18A-19;
- 175 (3) evaluate the costs and benefits of a car share program as required
176 under Section 18A-22;
- 177 (4) prepare a Telecommuting Action Plan as required under Section
178 33-24;
- 179 (5) develop an energy baseline, energy unit savings plan, and energy
180 cost savings plan for each County building as required under
181 Section 8-14B;
- 182 (6) evaluate options to create incentives for owners of commercial,
183 multi-family residential, and single-family residential buildings to
184 modify those buildings to increase their energy efficiency as
185 required under Section 8-14C;
- 186 (7) evaluate options to minimize the impact on affordable housing of
187 achieving the ENERGY STAR rating as required under Section
188 8-14C;

- 189 (8) evaluate options to encourage homeowners to conduct energy
- 190 audits as required under Section 40-13B;
- 191 (9) prepare a Renewable Energy Action Plan as required under
- 192 Section 18A-16 and
- 193 (10) evaluate the costs and benefits of adopting the
- 194 ASHRAE/USGBC/IESNA Standard 189.1 as required under
- 195 Section 8-53.]

196 [(g) *Additional duties.* The Group may also recommend, as appropriate, any
 197 action that promotes the improvement of air and water quality, habitat
 198 restoration, economic vitality, and a high quality of life for all County
 199 residents. This and other duties of the Group must not infringe on or
 200 restrict the County Planning Board’s authority under state and County
 201 laws to conduct land use and transportation planning and other relevant
 202 planning and analysis.]

203 [(h) *Annual report.* By January 15 each year, the Group must submit to the
 204 Executive and Council an annual report on:

- 205 (1) its activities, accomplishments, plans, and objectives;
- 206 (2) actions taken to implement the Climate Protection Plan, and
- 207 whether the County is meeting the goals identified in the Climate
- 208 Protection Plan as required under Section 18A-14;
- 209 (3) the use of biodiesel fuels in County vehicles, results of the sport
- 210 utility vehicle inventory, and the average fuel economy for
- 211 passenger vehicles and light trucks in the County fleet as required
- 212 under Section 18A-23;
- 213 (4) action taken in the preceding year to implement the
- 214 Telecommuting Action Plan as required under Section 33-24; and

- 215 (5) steps taking in the preceding year to implement the energy unit
 216 savings plan and energy cost savings plan for each County
 217 building as required under Section 8-14B.]
- 218 [(i) *Advocacy.* The Group must not engage in any legislative advocacy at
 219 the State or federal levels unless that activity is approved by the Office
 220 of Intergovernmental Relations.]
- 221 [(j) *Staff.* The Chief Administrative Officer must provide appropriate staff
 222 to the Group.]
- 223 (a) *Created.* [[The Department of Environmental Protection must create]]
 224 There is an Office of Sustainability in the Department of Environmental
 225 Protection.
- 226 (b) *Duties.* The Office must:
- 227 [(1) update the greenhouse gas emissions inventory as required under
 228 Section 18A-14;
- 229 (2) conduct the annual inventory of the County’s sport utility
 230 vehicles and develop criteria to identify positions in County
 231 government that should be assigned sport utility vehicles as
 232 required under Section 18A-19;
- 233 (3) develop an energy baseline, energy unit savings plan, and energy
 234 cost savings plan for each County building as required under
 235 Section 8-14B;
- 236 (4) evaluate options to encourage homeowners to conduct energy
 237 audits as required under Section 40-13B; and
- 238 (5) prepare an annual report, as required in subsection (c).]]
- 239 (1) promote residential energy efficiency and renewable energy
 240 programs through direct collaboration with homeowners, renters,
 241 property managers, real estate agents, and others to support:

242 (A) auditing and assessment of residential properties, including
243 evaluating whether the County should require a Home
244 Energy Score to be conducted before the sale of single-
245 family home;

246 (B) energy efficiency retrofits;

247 (C) utilization of available incentives from government,
248 utilities, and the private sector;

249 (D) utilization of clean energy technologies and purchasing of
250 clean energy; and

251 (E) healthy indoor air education programs;

252 (2) promote commercial and multi-family energy efficiency and
253 renewable energy programs through collaboration with
254 commercial and multi-family property owners, managers, and
255 industry associations to support:

256 (A) benchmarking and assessment of commercial and multi-
257 family properties;

258 (B) energy efficiency retrofits;

259 (C) utilization of available incentives from government,
260 utilities, and the private sector, including alternative
261 financing programs such as the Property Assessed Clean
262 Energy program; and

263 (D) utilization of clean energy technologies and purchasing of
264 clean energy;

265 (3) support green business development by:

266 (A) expanding the Montgomery County Green Business
267 Certification Program;

- 268 (B) evaluating and promoting other robust third party green
- 269 certification and reporting programs;
- 270 (C) connecting residents and businesses to providers of green
- 271 products and services; and
- 272 (D) fostering green business market opportunities;
- 273 (4) support tree and forest programs by:
- 274 [(A) developing and disseminating information regarding the
- 275 planting, care, and protection of trees and forests;
- 276 (B) developing and promoting planting programs, including a
- 277 program to encourage tree planting by residents in
- 278 communities, created as a result of the County's tree
- 279 canopy law;
- 280 (C) maintaining a website that coordinates tree planting and
- 281 education efforts;
- 282 (D) compiling data on the status of tree and forest resources in
- 283 the County, including information on tree planting
- 284 activities;]]
- 285 (A) developing overall and individual tree canopy and planting
- 286 goals to serve as a baseline for measuring success;
- 287 (B) connecting and informing the public about the County's
- 288 tree planting, preservation, and programs and providing
- 289 information on tree planting techniques, tree care, species
- 290 selection and related activities, through a website created
- 291 for this purpose;
- 292 (C) developing and implementing a public engagement
- 293 strategy to encourage community and individual tree

- 294 planting on private and public lands and cultivating new
 295 partnerships in support of these activities; and
 296 (D) compiling and disseminating information on the status of
 297 the County's tree and forest resource on a regular basis;
 298 (5) promote partnership development and civic engagement by:
 299 (A) maintaining and leveraging partnerships with local
 300 community groups, civic organizations, HOAs and
 301 businesses to expand the County's environmental
 302 educational reach
 303 (B) organizing community-based environmental activities and
 304 outreach programs; and
 305 (C) promoting the environmental programming and events of
 306 Montgomery County Public Schools, local colleges and
 307 universities, and other educational institutions in the
 308 County;
 309 (6) provide data analysis and research in support of County
 310 sustainability goals and objectives by:
 311 (A) maintaining data on County greenhouse gas emissions and
 312 building fuel energy consumption;
 313 (B) reporting progress on meeting the greenhouse gas
 314 reduction goals in the 2009 Climate Protection Plan;
 315 (C) evaluating options for a broader Countywide sustainability
 316 reporting framework;
 317 (D) providing research on and analysis of emerging
 318 sustainability issues;
 319 (E) providing any other data and analytical efforts in support
 320 of County's sustainability objectives; and

- 321 (F) every 2 years, beginning on [[January 15]] February 1,
- 322 2015, applying a scoring system designed to compare the
- 323 County to other local jurisdictions on energy efficiency
- 324 policies and programs; and
- 325 (7) prepare an annual report, as required in subsection (c).
- 326 (c) Annual report. By [[January 15]] February 1 each year, the Office must
- 327 submit to the [[County Executive and]] County Council an annual
- 328 report on:
- 329 (1) its activities, accomplishments, plans, and objectives;
- 330 (2) actions taken to implement the Climate Protection Plan, and
- 331 whether the County is meeting the goals identified in the Climate
- 332 Protection Plan as required under Section 18A-[[14]]15;
- 333 (3) its activities to enhance tree canopy in the County; and
- 334 (4) the score established under paragraph (b)(6)(F).

335 **18A-14. Department of General Services – Office of Energy and Sustainability.**

- 336 (a) Created. There is an Office of Energy and Sustainability in the
- 337 Department of General Services.
- 338 (b) Duties. The Office must:
- 339 (1) develop an energy baseline, energy unit savings plan, and energy
- 340 cost savings plan for the County’s building portfolio;
- 341 (2) develop a comprehensive plan to reduce the energy consumption
- 342 and impact of fleet operations, which may include the use of
- 343 alternative fuels, reductions vehicle miles traveled, improvements
- 344 in vehicle efficiency, or vehicle electrification strategy;
- 345 (3) execute plans to use Energy Performance Contracting to improve
- 346 the efficiency of County buildings, as authorized by the Director
- 347 of General Services;

- 348 (4) develop and execute the County’s renewable energy plans,
 349 including the purchase of renewable energy and deployment of
 350 solar and other clean energy sources across County facilities,
- 351 (5) coordinate with the Office of Procurement to develop green and
 352 environmentally preferable purchasing plans;
- 353 (6) develop initiatives, plans, and projects to reduce the
 354 environmental impact of County operations and foster a culture
 355 of sustainability within the County Government; and
- 356 (7) prepare and submit data summarizing efforts to reduce the
 357 environmental impact of County operations to any annual
 358 Sustainability report prepared by the County Executive in
 359 collaboration with other Departments and Agencies.
- 360 (c) Annual report. By [[January 15]] February 1 each year, the Office must
 361 submit to the [[County Executive and]] County Council an annual
 362 report on:
- 363 (1) its activities, accomplishments, plans, and objectives;
- 364 (2) actions taken to reduce the energy consumption and impact of
 365 fleet operations;
- 366 (3) the use of biodiesel fuels in County vehicles, results of the sport
 367 utility vehicle inventory, and the average fuel economy for
 368 passenger vehicles and light trucks in the County fleet as required
 369 under Section 18A-23; and
- 370 (4) steps taken in the preceding year to implement the energy unit
 371 savings plan and energy cost savings plan for [[each County
 372 building]] the County’s portfolio of buildings as required under
 373 Section 8-14B.

374 **18A-~~[[14]]15. Climate Protection Plan.~~**

375 (a) *Inventory.* The Office of Sustainability [Working Group] ~~[[must]]~~
 376 [conduct a] in the Department of Environmental Protection may update
 377 the greenhouse gas emissions inventory to determine the amount of
 378 greenhouse gases emitted in the County and submit a written report on
 379 the inventory to the County Executive and County Council ~~[[by January~~
 380 ~~15, [2009] 2015]]~~.

381 (b) *Reduction of greenhouse gas emissions.* The [Sustainability Working
 382 Group] Office ~~[[must]]~~ [prepare a] may update the County Climate
 383 Protection Plan ~~[[by January 15, [2009 that outlines] 2015]]~~. ~~[[This]]~~
 384 Any update ~~[[must outline a plan to reduce]]~~ should report the County's
 385 progress on reducing Countywide greenhouse gas emissions to 80%
 386 below the amount of greenhouse gas emissions in the base year
 387 identified in the inventory prepared under subsection (a) by January 1,
 388 2050, including ~~[[a plan to [stop increasing Countywide greenhouse gas~~
 389 ~~emissions by 2010 and] achieve]]~~ any recommendations that would
 390 ensure a 10% reduction every 5 years through 2050.

391 * * *

392 (d) *Preparation.* In preparing ~~[[the]]~~ any update to the Climate Protection
 393 Plan, the Office [Sustainability Working Group] must:

- 394 (1) consider greenhouse gas emissions reduction programs in other
 395 jurisdictions;
- 396 (2) evaluate the potential costs and benefits of different options for
 397 reducing greenhouse gas emissions to the County's economy,
 398 environment, health, safety, and welfare; and
- 399 (3) use the best available economic models, emissions estimating
 400 techniques, and other scientific methods.

401 (e) *Annual report.* The [Sustainability Working Group] Office of
402 Sustainability must submit a report to the County Executive and County
403 Council by [[January 15]] February 1 of each year that specifies:

- 404 (1) the actions taken to implement the Climate Protection Plan in the
405 preceding fiscal year; and
406 (2) whether the County is meeting the goals identified in the Climate
407 Protection Plan.

408 **[18A-15. Carbon tax] [[Reserved]].**

409 [(a) In this Section, the following words have the meanings indicated:

410 “Carbon tax” means a tax that is proportionate to the amount of carbon
411 dioxide produced by an energy source.

412 “Fuel energy tax” means the fuel energy tax imposed under Section 52-
413 14.

414 (b) The Sustainability Working Group must:

415 (1) evaluate the costs and benefits of converting the fuel energy tax
416 to a carbon tax; and

417 (2) submit findings and recommendations to the County Executive
418 and County Council by January 15, 2009, including a
419 recommended methodology for converting the fuel energy tax to
420 a carbon tax.]

421 **18A-16. [Renewable Energy Action Plan] Reserved.**

422 [(a) *Definitions.* In this Section, the following words have the meanings
423 indicated:

424 “Department” means the Department of Environmental Protection.

425 “Director” means the Director of the Department or the Director’s
426 designee.

427 “Renewable energy” means the following energy sources or technology:

- 428 (1) solar;
- 429 (2) wind;
- 430 (3) geothermal;
- 431 (4) tidal;
- 432 (5) methane from anaerobic decomposition of organic materials in a
- 433 landfill or wastewater treatment plant; and
- 434 (6) any other energy source or technology which the Director finds is
- 435 derived from natural processes that do not involve the
- 436 consumption of exhaustible resources.

437 “Sustainability Energy Fund” means a non-profit organization which:

- 438 (1) develops end-user markets for products and services relating to
- 439 energy efficiency and renewable energy; and
- 440 (2) serves as a point-of-contact for end-users to obtain information
- 441 about products and services relating to energy efficiency and
- 442 renewable energy.

443 “Sustainability Working Group” means the Group defined in Section
444 18A-13.]

445 [(b) *Study.* The Sustainability Working Group must prepare a Renewable
446 Energy Action Plan after evaluating the costs and benefits of options to
447 increase renewable energy use in and by the County, including the
448 feasibility of creating a Sustainability Energy Fund.]

449 [(c) *Initial report.* The Sustainability Working Group must submit a report
450 to the County Executive and County Council by January 15, 2009 that
451 identifies the components of the Renewable Energy Action Plan.]

452 [(d) *Energy work program.* The County Executive’s energy work program,
453 required by Section 18A-2, must identify any action necessary to
454 implement the Renewable Energy Action Plan.]

455 **18A-17. Definitions.**

456 In this Article, the following words have the meanings indicated:

457 [“]ASTM[”] means the American Society for Testing and Materials.

458 [“]B20[”] means a biodiesel blend of 20% biodiesel and 80% petroleum diesel
459 fuels.460 [“]Biodiesel[”] means any biomass-based diesel fuel certified by the
461 Environmental Protection Agency.462 [“]Biodiesel blend[”] means a blend of biodiesel fuel, designated BXX, where
463 XX represents the volume percentage of biodiesel fuel in the blend.464 [“]Car share program[”] means a program that allows County employees to
465 conduct County business using motor vehicles which:

466 (1) are owned or leased by the County; and

467 (2) County residents and businesses can lease when they are not being used
468 for County business.469 [“]County fleet[”] means all passenger vehicles and light trucks owned or
470 leased by the County.

471 [“]County vehicle[”] means any motor vehicle owned or leased by the County.

472 [“]Department[”] means the Department of General Services.

473 [“]Diesel fuel[”] means a distillate fuel for use in diesel engines.

474 [“]Director[”] means the Director of the Department or the Director’s
475 designee.476 [“]Fuel economy[”] means the federal Environmental Protection Agency’s
477 combined (city and highway) fuel economy estimate for a vehicle.478 [“]Light truck[”] means a motor vehicle with a gross vehicle weight of less
479 than 8,500 pounds which is:

480 (1) designed primarily for transporting property;

481 (2) designed primarily for transporting persons and has a capacity of more
482 than 12 persons; or

483 (3) available with special features that enable off-road operation or use.

484 [“*Miles per gallon*”] means the distance traveled in a vehicle powered by one
485 gallon of fuel.

486 Office of Energy and Sustainability or Office means the Office of Energy and
487 Sustainability in the Department of General Services created in Section
488 18A-[[13]]14.

489 [“*Passenger vehicle*”] means a motor vehicle, except a light truck or
490 motorcycle, designed to carry no more than 12 persons.

491 [“*Public safety vehicle*”] means a motor vehicle whose primary purpose is
492 patrol, transport, emergency response, or another purpose that requires
493 specialized equipment or capabilities, which is used by:

- 494 (1) the Department of Police;
- 495 (2) the Fire and Rescue Service;
- 496 (3) the Department of Correction and Rehabilitation; or
- 497 (4) any other County department or agency.

498 [“Sustainability Working Group” means the Group defined in Section 18A-
499 13.]

500 **18A-19. Sport utility vehicles.**

501 (a) The Office of Energy and Sustainability [Working Group] must conduct
502 an annual inventory of the County’s sport utility vehicles and:

- 503 (1) identify the function that each sport utility vehicle performs;
- 504 (2) identify the most fuel-efficient type of vehicle that could
505 reasonably and satisfactorily perform the function that each sport
506 utility vehicle performs; and

507 (3) eliminate or replace any sport utility vehicle for which a more
 508 fuel-efficient vehicle could reasonably and satisfactorily perform
 509 the identified function.

510 (b) The [Sustainability Working Group] Office must develop criteria to
 511 identify which positions in County government should be assigned a
 512 sport utility vehicle from the County fleet. The Director must follow
 513 this criteria when assigning vehicles from the County fleet.

514 **18A-20. Fuel economy standards.**

515 (a) The Office [[of Sustainability]] [Working Group] must develop a
 516 strategy to achieve a significant improvement in average County fleet
 517 fuel economy standards [[as part of the Climate Protection Plan required
 518 under Section 18A-14]].

519 (b) [*Applicability.*] This Section does not apply to public safety vehicles.

520 **18A-23. Annual report.**

521 By [[January 15]] February 1 each year, the Office of Energy and
 522 Sustainability [Working Group] must submit to the County Executive and County
 523 Council a report on the:

524 (a) use of biodiesel in County vehicles, including the quantity, blend, price
 525 per gallon, and average fuel consumption;

526 (b) results of the inventory of sport utility vehicles conducted under Section
 527 18A-19; and

528 (c) average fuel economy for passenger vehicles and light trucks in the
 529 County fleet.

530 **40-13B. Energy performance audits—single family homes.**

531 (a) *Definitions.* In this Section, the following words have the meanings
 532 indicated:

533 [“*Department*”] means the Department of Environmental Protection.

534 ["*Director*"] means the Director of the Department or the Director's
535 designee.

536 ["*Home energy audit*"] means an evaluation of the energy efficiency
537 of a home which includes any test or diagnostic measurement which the
538 Department finds necessary to:

- 539 (1) ensure that a home's energy efficiency is accurately measured; or
540 (2) identify steps that can be taken to improve a home's energy
541 efficiency.

542 Office of Sustainability or Office means the Office of Sustainability in
543 the Department of Environmental Protection created in Section 18A-13.

544 ["*Single-family home*"] means a single-family detached or attached
545 residential building.

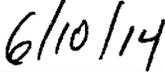
546 ["Sustainability Working Group" means the Group defined in Section
547 18A-13.]

548 (b) Before signing a contract for the sale of a single-family home, the seller
549 must provide the buyer with:

- 550 (1) material approved by the Department that gives information
551 about home energy efficiency improvements, including the
552 benefit of conducting a home energy audit; and
553 (2) copies of the electric, gas, and home heating oil bills or cost and
554 usage history for the single-family home for the immediate prior
555 12 months, unless the single-family home was unoccupied for the
556 entire prior 12 months. If the seller did not occupy the single-
557 family home for the entire prior 12 months, the seller must
558 provide the buyer with the required information for that part of
559 the prior 12 months, if any, that the seller occupied the single-
560 family home.

561 (c) The Office of Sustainability [Working Group] must evaluate options to
562 encourage homeowners to conduct a home energy audit, including
563 whether the County should require a home energy audit to be conducted
564 before the sale of a single-family home.

565 *Approved:*

566  

Craig L. Rice, President, County Council Date

567 *Approved:*

568 _____
Isiah Leggett, County Executive Date

569 *This is a correct copy of Council action.*

570 _____
Linda M. Lauer, Clerk of the Council Date