



# *The Commonwealth of Massachusetts*

HOUSE OF REPRESENTATIVES  
STATE HOUSE, BOSTON 02133-1054

**FRANK I. SMIZIK**  
15TH NORFOLK DISTRICT

CHAIRMAN  
House Committee on:  
Global Warming and Climate Change

Department of Public Safety  
Attn: Stephen Carley  
One Ashburton Place, Room 1301  
Boston, MA 02108

Dear Board of Building Regulations and Standards (BBRS),

Thank you for the opportunity to comment on the updates to these important regulations. As you may be aware, in 2008 Massachusetts passed the Global Warming Solutions Act (GWSA) which mandates reductions in statewide greenhouse gas (GHG) emissions of 25% below 1990 levels by 2020 and 80% below 1990 levels by 2050. While the state's building and energy codes are unlikely to assist us in meeting our near term GHG reduction mandates, the structures created under the authority of these regulations and standards will stand for the next 30 to 50 years, and represent a long-term strategy for reducing GHG emissions. The standards and regulations proposed directly affect electricity use, heating and cooling related emissions, and have strong ties to the continued decentralization of energy production and transportation fueling. As the BBRS works to update the codes and regulations, it must remain fully cognizant of the influence these regulations will have on the statewide adoption of new and innovative technologies and our ability to meet our GWSA mandates.

First, we applaud the proposed EV requirements for new residential and commercial construction, which were included in the latest draft. The state's transportation sector represents nearly 40% of statewide GHG emissions and the majority of these emissions are from personal vehicles use. If the state wishes to address this sector it must do so by encouraging the proliferation of zero emissions vehicles (ZEVs), and other low carbon transportation methods. At this time ZEVs represent the most commercially viable method of addressing GHG emissions from personal vehicle use, however, they cannot be considered a pragmatic solution unless there are significant increases in charging infrastructure. The EV requirements for new residential and commercial construction will assist the state in its efforts to increase the prevalence of charging infrastructure, and decrease the cost for those who choose to retrofit their buildings with charging equipment. This will, in turn, reduce barriers to electric vehicle adoption in the Commonwealth and address transportation emissions.



Furthermore, the adoption of effective building codes will be essential in achieving the state and the Baker Administration's goal of 300,000 EVs in the Commonwealth in 2025. We again applaud the BBRS' inclusion of these requirements in its latest draft; modern buildings can and should support innovative transportation options such as electric vehicles, and we ask that these amendments be retained in the final version.

Second, we are encouraged by the "Solar Ready Provisions" included in the latest draft edition. The inclusion of pre-wiring and design for solar in certain new low-rise commercial buildings and additions will encourage adoption, and make it easier for property owners to make environmentally conscious choices, reduce their carbon footprints, and reduce energy consumption and costs. Having solar-ready zones, interconnection pathways, and reserved electrical service space will again reduce retro-fit prices, which are often the largest barrier to adoption of new technological advances.

Be that as it may, we would also like to advise the BBRS to be cautious about the prescriptive nature of the current drafts solar provisions, and the assumption that rooftop solar is the only method of solar installation. Many property and business owners have installed ground mounted generation units and parking lot canopy units, which are not addressed in the current draft. We again would like to advise the BBRS to retain the current language included in this draft, and consider additions related to the diverse types of solar installations we are seeing statewide.

Third, we would like to express some concerns with the stretch energy code included in the latest draft. In particular we are concerned that the stretch code only applies to new buildings, and exempts commercial buildings smaller than 100,000 square feet. Renovations, remodels, and alterations of existing buildings represent immense opportunities to increase energy efficiency and improve the functionality of existing infrastructure; the current draft seems to fail to capture these opportunities. Further, setting the square footage threshold at such a high level (100,000 sq. ft.) for commercial buildings is another missed opportunity to capture savings, and continue the state's national leadership in energy efficiency.

Massachusetts has led the nation in energy efficiency for 5 years running according to the American Council for an Energy Efficient Economy. To that end, the base code included in the latest draft is exceptional and will assist Massachusetts in continuing that leadership. We should however have a stretch energy code that is ambitious in its efforts to minimize the life-cycle costs of facilities through the use of energy efficiency, water conservation, and other renewable or alternative energy technologies. Setting requirements for existing facilities, and adjusting the threshold for commercial buildings are steps the BBRS should consider adding to its current draft of the stretch energy code.

In closing, we would like to once again thank the board for the opportunity to comment on its latest draft, and commend you for your work on this important matter. As we have stated above, it is our belief that the requirement for EVs and solar should, at minimum, be retained in the final version generated by the BBRS. Additionally, efforts to make the stretch energy code more stringent for construction on existing facilities and small and medium commercial buildings should be prioritized. The

regulations and standards adopted during this process will play a vital role in the state's ability to meet its GWSA mandates, and adopt innovative technology which can help improve quality of life.

Best wishes,

A handwritten signature in black ink, appearing to read "Frank I. Smizik". The signature is fluid and cursive, with the first name "Frank" being the most prominent.

Frank I. Smizik  
15<sup>th</sup> Norfolk