MARYLAND · COMAR 26.28 & HB 49

Maryland Building Energy Performance Standards (BEPS)

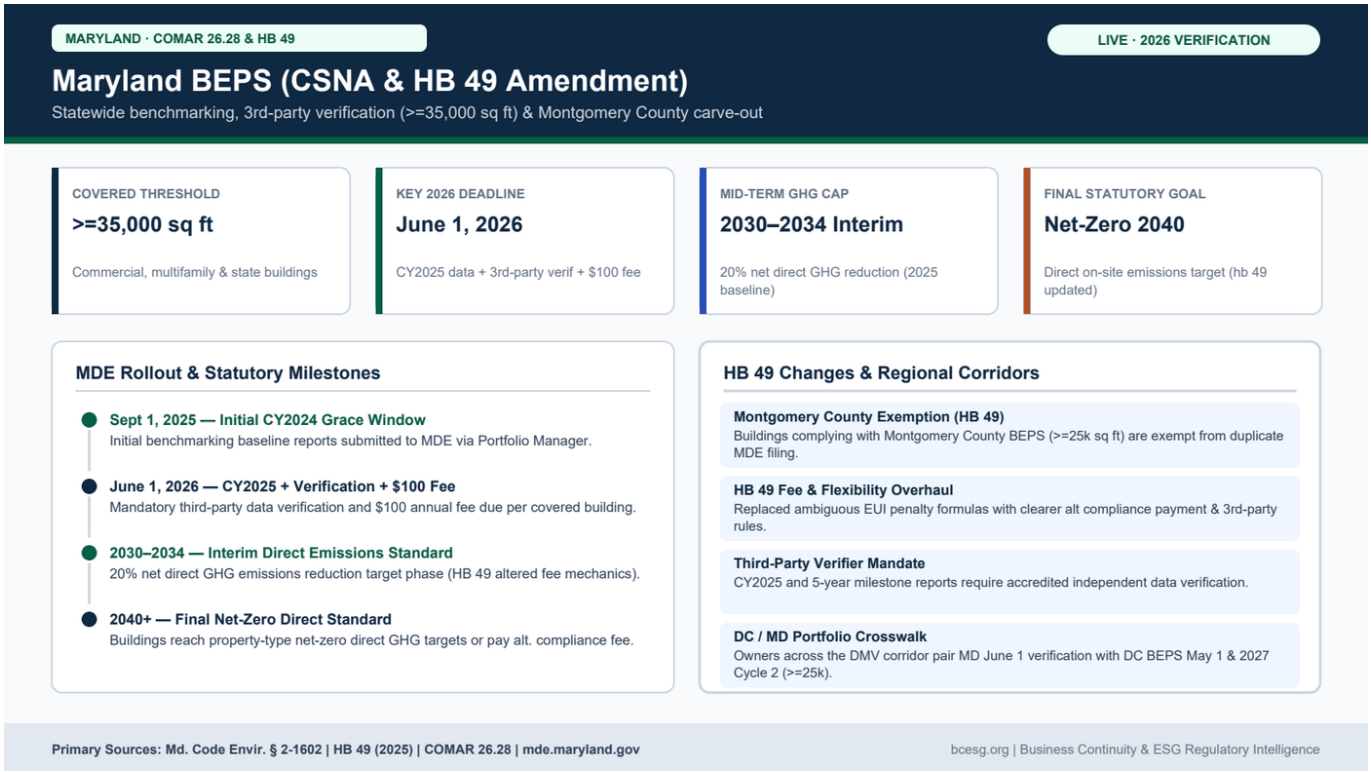
CSNA statewide mandate (>=35k sq ft), June 1 third-party verification & 2040 net-zero direct targets

1. Statutory Scope, Thresholds & Key Dates

Milestone / Provision	Applicability	Statutory Deadline & Rule
Initial CY2024 Benchmarking	>=35,000 sq ft commercial/MF/state	Sept 1, 2025 (initial grace deadline completed)
CY2025 Verified Filing	Non-exempt buildings >=35,000 sq ft	June 1, 2026 + mandatory 3rd-party verifier + $100 fee
Montgomery County Exemption	Montgomery County BEPS >=25k buildings	Exempt from duplicate MDE state filing per HB 49 (2025)
2030 & 2040 Direct GHG Caps	Interim 2030–2034 -> Final 2040	20% net direct GHG cut (2030+) -> Net-zero direct 2040

2. Operational Requirements & Enforcement

- **June 1 Verification Anchor:** CY2025 data launched mandatory third-party verification and a $100 annual reporting fee for >=35,000 sq ft buildings.
- **HB 49 Montgomery County Carve-Out:** Properties compliant with Montgomery County BEPS are exempt from duplicate MDE state submissions.
- **Direct Fuel Focus:** Unlike total-EUI caps, CSNA emphasizes net direct on-site GHG emissions—putting gas boilers and space heating front and center.



MARYLAND · COMAR 26.28 & HB 49 · PAGE 2 CHECKLIST

Maryland BEPS Verification & DMV Corridor Checklist

Step-by-step workflow from utility data verification through filing & compliance proof

Step	Owner / Team	Auditable Deliverable
1. Exemption Check	Compliance Lead	Confirm whether assets sit in Montgomery County BEPS carve-out or <35k sq ft exclusion (excl. parking).
2. Retain Verifier	Facilities / PE	Contract an MDE-recognized third-party data verifier ahead of spring utility reconciliation.
3. File & Remit $100	Property Ops	Submit verified CY data in Portfolio Manager + pay $100 annual fee to MDE by June 1.
4. Electrification Plan	CapEx Engineering	Model on-site gas equipment replacements ahead of 2030 direct GHG targets and 2040 net-zero rules.

Key Questions & Edge-Case Rules

- **What buildings are exempt under HB 49's Montgomery County provision?** Buildings located in Montgomery County that comply with Montgomery County's local Building Energy Performance Standards (>=25,000 sq ft) are exempt from filing duplicate statewide reports with MDE under HB 49 (2025).
- **When is Maryland BEPS third-party verification required?** First required with CY2025 data due June 1, 2026 (alongside the $100 annual fee), and at subsequent 5-year compliance verification milestones under COMAR 26.28.
- **Does Maryland BEPS regulate electricity emissions or only on-site gas?** Maryland's interim 2030 and 2040 statutory standards focus specifically on direct on-site greenhouse gas emissions (Scope 1 combustion), though whole-building electric and fuel consumption are both benchmarked annually.

Primary Sources & Statutory Citations

- Maryland Department of the Environment — Building Energy Performance Standards (BEPS)
- Maryland General Assembly — House Bill 49 (2025 Session)
- D.C. BEPS Cycle 1 & Cycle 2 Reference Guide — BC ESG
- New Jersey Clean Energy Act Benchmarking Guide — BC ESG

Canonical Guide: https://bcesg.org/maryland-beps-comar-26-28-hb-49-compliance-guide/

Informational Reference Only: Published by BC ESG (Tygart Media). Summarizes statutory and regulatory rules from cited primary sources; not legal, accounting, tax, or licensed engineering advice.