MONTGOMERY COUNTY, MD · CODE § 18A-38 (BILL 16-21)

Montgomery County BEPS Compliance

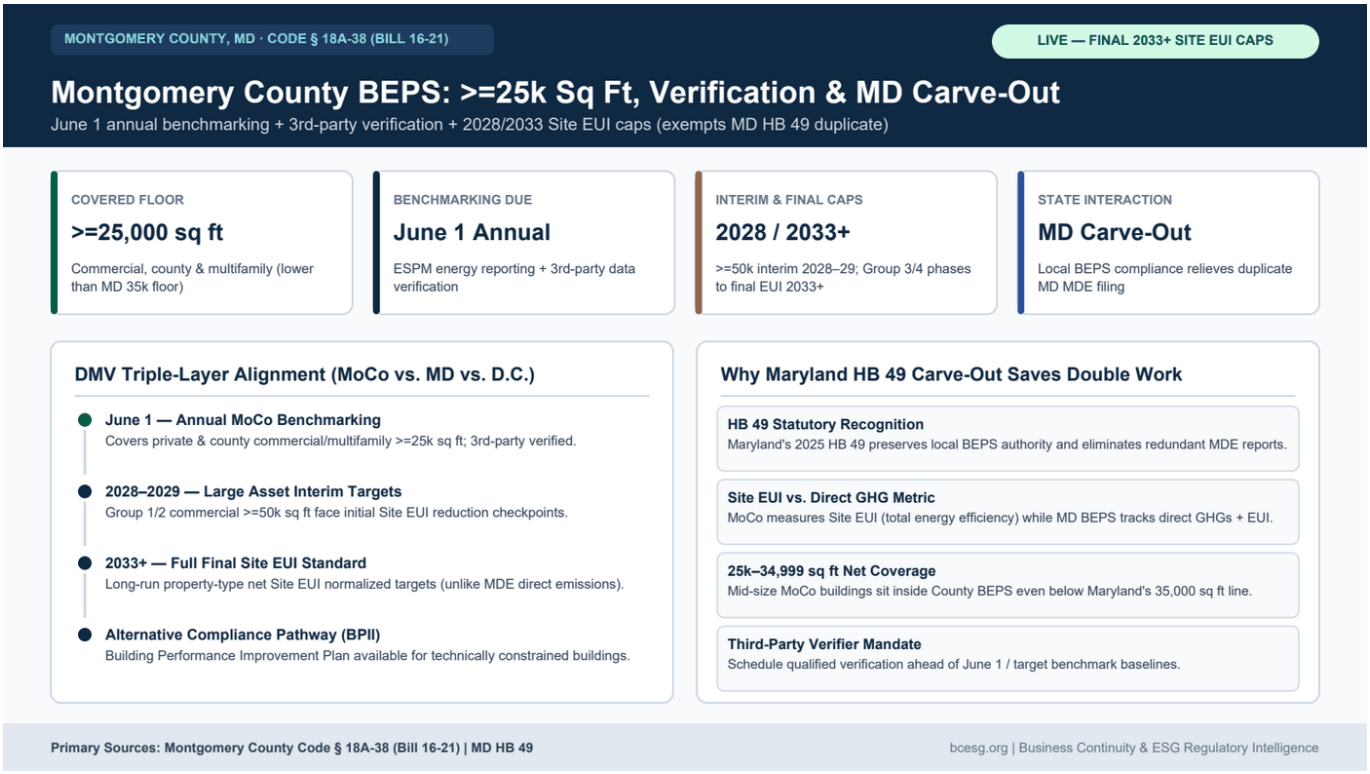
Site EUI reduction metrics (>=25k sf), June 1 verification & MD HB 49 exemption bridge

1. Statutory Scope, Thresholds & Key Dates

Obligation & Cohort	Threshold	Target Timeline	Core Standard & Coordination
Annual Benchmarking & Verify	Commercial & multifamily >=25k sf	Annual June 1 (+ verify yrs)	ENERGY STAR PM + third-party verifier attestation
Wave 1 Interim/Final EUI	Commercial >=50k sf (Group 1/2)	2028/2029 interim -> 2033+ final	Weather-normalized Site EUI targets (no RECs)
Multifamily & 25k–50k Wave	Multifamily >=25k & small comm	Staggered 2029–2035 schedule	Site EUI or BPIP flexibility; MD HB 49 bridge

2. Operational Requirements & Enforcement

- **Site EUI, Not Carbon Offsets:** Montgomery County § 18A-38 tests total energy consumed per square foot, rewarding HVAC efficiency as well as fuel switching.
- **June 1 Verified Baseline:** Third-party data verification accompanies June 1 benchmarking prior to 2028/2029 >=50k sq ft interim EUI deadlines.
- **MD HB 49 State Coordination:** Active Montgomery County BEPS compliance eliminates duplicate Maryland state BEPS filings for covered county assets.



MONTGOMERY COUNTY, MD · CODE § 18A-38 (BILL 16-21) · PAGE 2 CHECKLIST

County vs. State BEPS Dual-Jurisdiction Execution Checklist

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

Step	Owner / Team	Auditable Deliverable
1. June 1 Verified Data	Property Ops / Verifier	Complete Pepco/Washington Gas upload and third-party verification before June 1.
2. Interim 2028 Gap Analysis	Energy Engineering	Benchmark baseline Weather-Normalized Site EUI against DEP final target.
3. HB 49 Non-Duplicate Check	Maryland Legal Counsel	Verify building meets Montgomery County active status for MD state relief.

Key Questions & Edge-Case Rules

- **How does Montgomery County BEPS coordinate with Maryland's statewide BEPS?** Under Maryland HB 49, qualifying buildings actively regulated by and compliant with Montgomery County's BEPS (>=25,000 sq ft) are spared duplicate reporting under Maryland's statewide BEPS program.
- **Can solar RECs satisfy Montgomery County BEPS Site EUI limits?** No. Montgomery County BEPS targets weather-normalized Site Energy Use Intensity (kBtu/sq ft), requiring actual building energy efficiency or on-site generation rather than off-site REC purchases.

Primary Sources & Statutory Citations

- Montgomery County DEP — Building Energy Performance Standards (BEPS)
- Maryland State BEPS Reference — COMAR 26.28 / HB 49

Canonical Guide: https://bcesg.org/montgomery-county-maryland-beps-eui-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.