

1 S.202

2 An act relating to plug-in photovoltaic devices

3 It is hereby enacted by the General Assembly of the State of Vermont:

4 Sec. 1. 30 V.S.A. § 201 is amended to read:

5 § 201. DEFINITIONS

6 As used in this chapter:

7 \* \* \*

8 (9) “Plug-in photovoltaic device” means a photovoltaic generation  
9 device that:

10 (A) is designed to be connected to a building’s electrical system via  
11 an electrical cord plugged into a receptacle;

12 (B) includes a feature that prevents the system from energizing the  
13 building’s electrical system during a power outage;

14 (C) complies with UL 3700 for plug-in photovoltaic systems by UL  
15 Solutions or an equivalent certification by an equivalent Nationally  
16 Recognized Testing Laboratory for use in the United States and is installed and  
17 operated in compliance with IEEE 1547-2018 and any successor standard,  
18 using default performance and setting profiles consistent with those developed  
19 by regional transmission and distribution system operators; and

20 (D) is connected to a building that is connected to the electric grid.

1       Sec. 2. 30 V.S.A. § 256 is added to read:

2       § 256. PLUG-IN PHOTOVOLTAIC DEVICES

3           (a) A customer may install one or more plug-in photovoltaic devices per  
4       electric meter if the devices have a maximum combined inverter capacity of  
5       not more than 1,200 watts. Plug-in photovoltaic devices shall only be  
6       connected to systems using smart meters. A customer shall ensure a device is  
7       temporarily but securely attached to the ground or a structure.

8           (b) The installation of a plug-in photovoltaic device that complies with  
9       subsection (a) of this section shall not be required to comply with the  
10       requirements of section 248 of this chapter, shall not be required to obtain an  
11       interconnection agreement with an electric distribution company, and shall not  
12       otherwise be subject to the jurisdiction of the Public Utility Commission.

13           (c) An electric distribution company shall not require a customer using a  
14       plug-in photovoltaic device that complies with subsection (a) of this section to:

15               (1) obtain the company's approval before installing or using the device;

16               (2) pay any fee or charge related to the installation of the device; or

17               (3) install any additional controls or equipment beyond what is  
18       integrated into the device.

19           (d) Nothing in this section shall prevent an electric distribution company  
20       from recovering costs associated with the overloading of the service provided  
21       due to the presence of a plug-in photovoltaic device.

1       (e) A customer with a net metering system shall not also install a plug-in  
2       photovoltaic device. A plug-in photovoltaic device shall not be eligible for net  
3       metering. Generation exported to the grid by a plug-in photovoltaic device  
4       shall not be compensated by an electric distribution company.

5       (f) A plug-in photovoltaic device in a public building, as defined in  
6       20 V.S.A. § 2730, shall be used in a manner that complies with all applicable  
7       requirements of the most recent Fire and Building Safety Code adopted by the  
8       Division of Fire Safety.

9       (g) A tenant shall provide at least 10 days' notice to the landlord of the  
10       tenant's intent to install a plug-in photovoltaic device in compliance with  
11       subsection (a) of this section in the building. The landlord shall respond within  
12       10 days with any reasonable restrictions on the installation of the device,  
13       including requiring the tenant to pay for any required electrical work and  
14       hiring a licensed electrician to do the work. If the landlord does not respond  
15       within 10 days, the tenant may proceed with installation. A tenant shall not  
16       perform or hire someone to perform electrical work on the premises for the  
17       installation of a plug-in photovoltaic device without the landlord's permission.  
18       A landlord shall not be compelled to perform or pay for electrical work on the  
19       premises to allow for the installation of a plug-in photovoltaic device.

1       Sec. 3. 24 V.S.A. § 4413(g) is amended to read:

2           (g) Notwithstanding any provision of law to the contrary, a bylaw adopted  
3       under this chapter shall not:

4           (1) Regulate the installation, operation, and maintenance of a plug-in  
5       photovoltaic device or, on a flat roof of an otherwise complying structure, of a  
6       solar energy device that heats water or space or generates electricity. For the  
7       purpose of this subdivision, “flat roof” means a roof having a slope less than or  
8       equal to five degrees.

9           (2) Prohibit or have the effect of prohibiting the installation of solar  
10       collectors not exempted from regulation under subdivision (1) of this  
11       subsection, clotheslines, or other energy devices based on renewable resources.

12       Sec. 4. 27 V.S.A. § 544 is amended to read:

13       § 544. ENERGY DEVICES BASED ON RENEWABLE RESOURCES

14           (a) No deed restrictions, covenants, or similar binding agreements running  
15       with the land shall prohibit or have the effect of prohibiting solar collectors,  
16       clotheslines, or other energy devices based on renewable resources from being  
17       installed on or, for a plug-in photovoltaic device as defined in 30 V.S.A. § 201,  
18       appurtenant to buildings erected on the lots or parcels covered by the deed  
19       restrictions, covenants, or binding agreements. A property owner may not be  
20       denied permission to install solar collectors or other energy devices based on  
21       renewable resources by any entity granted the power or right in any deed

1 restriction, covenant, or similar binding agreement to approve, forbid, control,  
2 or direct alteration of property with respect to residential dwellings. For  
3 purposes of this subsection, that entity may determine the specific location  
4 where solar collectors may be installed on the roof within an orientation to the  
5 south or within 45° east or west of due south, provided that this determination  
6 does not impair the effective operation of the solar collectors.

7 \* \* \*

8 (c) The legislative intent in enacting this section is to protect the public  
9 health, safety, and welfare by encouraging the development and use of  
10 renewable resources in order to conserve and protect the value of land,  
11 buildings, and resources by preventing measures that will have the ultimate  
12 effect, whether or not intended, of driving the costs of owning and operating  
13 commercial or residential property beyond the capacity of private owners to  
14 maintain. This section shall not apply to patio railings in condominiums,  
15 cooperatives, or apartments, except for a plug-in photovoltaic device.

16 Sec. 5. 9 V.S.A. § 2795 is amended to read:

17 § 2795. EFFICIENCY AND WATER CONSERVATION STANDARDS

18 (a) The Commissioner shall adopt rules in accordance with the provisions  
19 of 3 V.S.A. chapter 25 establishing minimum efficiency standards for the types  
20 of new products set forth in section 2794 of this title. The rules shall provide

1 for the following minimum efficiency standards for products sold or installed  
2 in this State:

3 \* \* \*

4 (6) In the rules, the Commissioner shall adopt minimum efficiency and  
5 water conservation standards for each product that is subject to a standard  
6 under 10 C.F.R. §§ 430 and 431 as those provisions existed on January 19,  
7 ~~2017~~ 2025. The minimum standard and the testing protocol for each product  
8 shall be the same as adopted in those sections of the Code of Federal  
9 Regulations, except that for faucets, showerheads, and urinals, the minimum  
10 standard and testing protocol shall be as otherwise set forth in this section.

11 \* \* \*

12 Sec. 6. EFFECTIVE DATE

13 This act shall take effect on July 1, 2026.