

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Energy and Digital Infrastructure to which was referred
3 Senate Bill No. 202 entitled “An act relating to portable solar energy
4 generation devices” respectfully reports that it has considered the same and
5 recommends that the House propose to the Senate that the bill be amended by
6 striking out all after the enacting clause and inserting in lieu thereof the
7 following:

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

9 § 201. DEFINITIONS

10 As used in this chapter:

11 * * *

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

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

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

18 (C) complies with UL 3700 for plug-in photovoltaic systems by UL
19 Solutions or an equivalent certification by an equivalent Nationally
20 Recognized Testing Laboratory for use in the United States and is installed and
21 operated in compliance with IEEE 1547-2018 and any successor standard,

1 using default performance and setting profiles consistent with those developed
2 by regional transmission and distribution system operators; and

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

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

5 § 256. PLUG-IN PHOTOVOLTAIC DEVICES

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

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

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

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

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

20 (3) install any additional controls or equipment beyond what is

21 integrated into the device.

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

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

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

12 (g) No tenant shall install a plug-in photovoltaic device without the
13 landlord's permission. A tenant shall provide at least 10 days' notice to the
14 landlord of the tenant's intent to install a plug-in photovoltaic device in
15 compliance with subsection (a) of this section in the building. The landlord
16 shall respond within 10 days with any reasonable restrictions on the installation
17 of the device or may deny installation.

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

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

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

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

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

10 § 544. ENERGY DEVICES BASED ON RENEWABLE RESOURCES

11 (a) No deed restrictions, covenants, or similar binding agreements running
12 with the land shall prohibit or have the effect of prohibiting solar collectors,
13 clotheslines, or other energy devices based on renewable resources from being
14 installed on or, for a plug-in photovoltaic device as defined in 30 V.S.A. § 201,
15 appurtenant to buildings erected on the lots or parcels covered by the deed
16 restrictions, covenants, or binding agreements. A property owner may not be
17 denied permission to install solar collectors or other energy devices based on
18 renewable resources by any entity granted the power or right in any deed
19 restriction, covenant, or similar binding agreement to approve, forbid, control,
20 or direct alteration of property with respect to residential dwellings. For
21 purposes of this subsection, that entity may determine the specific location

1 where solar collectors may be installed on the roof within an orientation to the
2 south or within 45° east or west of due south, provided that this determination
3 does not impair the effective operation of the solar collectors.

4 * * *

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

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

14 § 2795. EFFICIENCY AND WATER CONSERVATION STANDARDS

15 (a) The Commissioner shall adopt rules in accordance with the provisions
16 of 3 V.S.A. chapter 25 establishing minimum efficiency standards for the types
17 of new products set forth in section 2794 of this title. The rules shall provide
18 for the following minimum efficiency standards for products sold or installed
19 in this State:

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