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S.202

An act relating to portable solar energy generation devices

The House proposes to the Senate to amend the bill by striking out all after the enacting clause and inserting in lieu thereof the following:

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

§ 201. DEFINITIONS

As used in this chapter:

* * *

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

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

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

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

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

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

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

18 (1) Regulate the installation, operation, and maintenance of a plug-in
19 photovoltaic device or, on a flat roof of an otherwise complying structure, of a
20 solar energy device that heats water or space or generates electricity. For the

1 purpose of this subdivision, “flat roof” means a roof having a slope less than or
2 equal to five degrees.

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

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

7 § 544. ENERGY DEVICES BASED ON RENEWABLE RESOURCES

8 (a) No deed restrictions, covenants, or similar binding agreements running
9 with the land shall prohibit or have the effect of prohibiting solar collectors,
10 clotheslines, or other energy devices based on renewable resources from being
11 installed on or, for a plug-in photovoltaic device as defined in 30 V.S.A. § 201,
12 appurtenant to buildings erected on the lots or parcels covered by the deed
13 restrictions, covenants, or binding agreements. A property owner may not be
14 denied permission to install solar collectors or other energy devices based on
15 renewable resources by any entity granted the power or right in any deed
16 restriction, covenant, or similar binding agreement to approve, forbid, control,
17 or direct alteration of property with respect to residential dwellings. For
18 purposes of this subsection, that entity may determine the specific location
19 where solar collectors may be installed on the roof within an orientation to the
20 south or within 45° east or west of due south, provided that this determination
21 does not impair the effective operation of the solar collectors.

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(c) The legislative intent in enacting this section is to protect the public

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health, safety, and welfare by encouraging the development and use of

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renewable resources in order to conserve and protect the value of land,

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buildings, and resources by preventing measures that will have the ultimate

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effect, whether or not intended, of driving the costs of owning and operating

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commercial or residential property beyond the capacity of private owners to

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maintain. This section shall not apply to patio railings in condominiums,

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cooperatives, or apartments, except for a plug-in photovoltaic device.

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

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§ 2795. EFFICIENCY AND WATER CONSERVATION STANDARDS

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(a) The Commissioner shall adopt rules in accordance with the provisions

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of 3 V.S.A. chapter 25 establishing minimum efficiency standards for the types

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of new products set forth in section 2794 of this title. The rules shall provide

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for the following minimum efficiency standards for products sold or installed

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in this State:

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(6) In the rules, the Commissioner shall adopt minimum efficiency and

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water conservation standards for each product that is subject to a standard

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under 10 C.F.R. §§ 430 and 431 as those provisions existed on January 19,

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~~2017~~ 2025. The minimum standard and the testing protocol for each product

1 shall be the same as adopted in those sections of the Code of Federal
2 Regulations, except that for faucets, showerheads, and urinals, the minimum
3 standard and testing protocol shall be as otherwise set forth in this section.

4 * * *

5 Sec. 6. EFFECTIVE DATE

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

7 and that after passage the title of the bill be amended to read: “An act relating
8 to plug-in photovoltaic devices”