

HOUSE BILL 1162

C2

5lr3199

By: **Delegate Stein**

Introduced and read first time: February 6, 2025

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Heating, Ventilation, Air-Conditioning, or Refrigeration Contractors –**
3 **Equipment Sales**

4 FOR the purpose of prohibiting a person from knowingly offering to sell or selling heating,
5 ventilation, air-conditioning, or refrigeration equipment to an individual that is not
6 licensed by the Board of Heating, Ventilation, Air-Conditioning, or Refrigeration
7 Contractors except under certain circumstances; requiring certain persons to collect
8 certain information from or provide a certain notice to purchasers of heating,
9 ventilation, air-conditioning, or refrigeration equipment at the time of sale;
10 requiring certain sellers of heating, ventilation, air-conditioning, or refrigeration
11 equipment to submit a certain report to the Board each fiscal year; and generally
12 relating to heating, ventilation, air-conditioning, or refrigeration contractors.

13 BY repealing and reenacting, without amendments,
14 Article – Business Regulation
15 Section 9A-103, 9A-201, and 9A-301
16 Annotated Code of Maryland
17 (2024 Replacement Volume)

18 BY adding to
19 Article – Business Regulation
20 Section 9A-501.1
21 Annotated Code of Maryland
22 (2024 Replacement Volume)

23 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
24 That the Laws of Maryland read as follows:

25 **Article – Business Regulation**

26 9A-103.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 This title does not limit the right of:

2 (1) an individual owner of a single-family dwelling while that owner is
3 practicing heating, ventilation, air-conditioning, or refrigeration services on or within a
4 building or structure owned by the individual;

5 (2) an individual who is building a single-family dwelling in which that
6 individual will reside while practicing heating, ventilation, air-conditioning, or
7 refrigeration services on or within that dwelling;

8 (3) an employee of a public utility company regulated by the Public Service
9 Commission, when engaged in:

10 (i) the development, construction, maintenance, or repair of electric
11 or gas facilities located in the State; or

12 (ii) the construction, maintenance, or repair of electric or gas
13 appliances in the service area of the public utility;

14 (4) subject to § 9A-403(a) of this title, an employee of the United States
15 government, the State government, a local government, or an independent agency while
16 that employee is practicing heating, ventilation, air-conditioning, or refrigeration services
17 on or within buildings or structures owned or solely occupied by the United States
18 government, the State government, a local government, or an independent agency;

19 (5) an individual employed in the installation, maintenance, alteration,
20 repair, or replacement of self-contained appliances requiring not more than 225 volts or 25
21 amperes of electrical current;

22 (6) an individual possessing a master electrician's license issued by the
23 State or any county, when engaged in the installation, alteration, service, repair, or
24 replacement of individually controlled electric resistance heat;

25 (7) an individual possessing a master plumber's license issued by the State,
26 Baltimore County, or the Washington Suburban Sanitary Commission when providing
27 heating, ventilation, air-conditioning, or refrigeration services on hydronic heating
28 systems;

29 (8) an individual possessing a license to practice engineering when
30 providing heating, ventilation, air-conditioning, or refrigeration services in connection
31 with the practice of engineering;

32 (9) an individual who installs, alters, remodels, maintains, or repairs oil
33 burners exclusively while employed by a supplier of home heating fuel; or

(10) an individual regularly employed by the owner of property, or the owner's agent, to engage in maintenance and repair work.

9A-201.

There is a State Board of Heating, Ventilation, Air-Conditioning, and Refrigeration Contractors in the Department.

9A-301.

Except as otherwise provided in this title, an individual shall be licensed by the Board before the individual provides or assists in providing heating, ventilation, air-conditioning, or refrigeration services in the State.

9A-501.1.

(A) IN THIS SECTION, "SELLER" MEANS A PERSON THAT OWNS A BUSINESS THAT HAS A GROSS ANNUAL REVENUE OF \$100,000 OR MORE FROM THE SALE OF HEATING, VENTILATION, AIR-CONDITIONING, OR REFRIGERATION EQUIPMENT.

(B) A PERSON MAY NOT KNOWINGLY SELL OR OFFER TO SELL HEATING, VENTILATION, AIR-CONDITIONING, OR REFRIGERATION EQUIPMENT TO ANOTHER PERSON, UNLESS THE INDIVIDUAL PURCHASING THE EQUIPMENT:

(1) IS LICENSED BY OR EMPLOYS AN INDIVIDUAL LICENSED BY THE BOARD TO PROVIDE OR ASSIST IN PROVIDING HEATING, VENTILATION, AIR-CONDITIONING, OR REFRIGERATION SERVICES; OR

(2) IS NOT REQUIRED TO BE LICENSED UNDER § 9A-103 OF THIS TITLE.

(C) (1) A PERSON THAT SELLS HEATING, VENTILATION, AIR-CONDITIONING, OR REFRIGERATION EQUIPMENT SHALL COLLECT THE NAME AND LICENSE NUMBER OF AN INDIVIDUAL WHO PURCHASES HEATING, VENTILATION, AIR-CONDITIONING, OR REFRIGERATION EQUIPMENT AT THE TIME OF SALE.

(2) IF A PERSON IS NOT ABLE TO COLLECT THE NAME AND LICENSE NUMBER OF AN INDIVIDUAL WHO PURCHASED EQUIPMENT UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE PERSON SHALL PROVIDE A WRITTEN NOTICE TO THE INDIVIDUAL WITH INFORMATION PRESCRIBED BY THE BOARD REGARDING THE REQUIREMENT THAT AN INDIVIDUAL BE LICENSED BY THE BOARD BEFORE PROVIDING OR ASSISTING IN PROVIDING HEATING, VENTILATION, AIR-CONDITIONING, OR REFRIGERATION SERVICES IN THE STATE, INCLUDING THE

1 INSTALLATION OF HEATING, VENTILATION, AIR-CONDITIONING, OR
2 REFRIGERATION EQUIPMENT.

3 (D) A SELLER SHALL FILE A REPORT WITH THE BOARD WITHIN 1 MONTH
4 AFTER THE END OF EACH FISCAL YEAR THAT LISTS THE NAME AND LICENSE NUMBER
5 OF EACH INDIVIDUAL THAT PURCHASED HEATING, VENTILATION,
6 AIR-CONDITIONING, OR REFRIGERATION EQUIPMENT FROM THE SELLER DURING
7 THE PRECEDING FISCAL YEAR.

8 (E) ON OR BEFORE JANUARY 1, 2026, THE BOARD SHALL ADOPT
9 REGULATIONS TO CARRY OUT THIS SECTION.

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
11 October 1, 2025.