

**PROPOSED REGULATION OF
THE DIRECTOR OF THE OFFICE OF ENERGY**

LCB File No. R153-17

March 6, 2018

EXPLANATION – Matter in *italics* is new; matter in brackets ~~omitted material~~ is material to be omitted.

AUTHORITY: §§1 and 2, NRS 701.220.

A REGULATION relating to energy conservation; revising provisions governing the adoption by reference of the *International Energy Conservation Code*; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law requires the Director of the Office of Energy to adopt regulations for the conservation of energy in buildings, including manufactured homes. The regulations must include the adoption of the most recent version of the *International Energy Conservation Code*, issued by the International Code Council, and any amendments to the *International Energy Conservation Code* that will not materially lessen the effective energy savings requirements of the *International Energy Conservation Code* and are deemed necessary to support effective compliance and enforcement of the *International Energy Conservation Code*. The regulations also must establish the minimum standards for: (1) The construction of floors, walls, ceilings and roofs; (2) The equipment and systems for heating, ventilation and air-conditioning; (3) Electrical equipment and systems; (4) Insulation; and (5) Other factors which affect the use of energy in a building. Finally, the regulations must provide for the adoption of the most recent version of the *International Energy Conservation Code*, and any amendments thereto, every third year. (NRS 701.220)

Existing regulations provide that: (1) The Director has adopted by reference the *2012 International Energy Conservation Code*; (2) On or before July 1, 2015, and every third year thereafter, the Director will review the most recent version of the *International Energy Conservation Code*, including any amendments thereto, and will adopt by reference the most recent version of the *International Energy Conservation Code* and prescribe by regulation such amendments to the most recent version of the *International Energy Conservation Code* as the Director deems necessary to support effective compliance with and enforcement of the *International Energy Conservation Code* in this State; and (3) The Director will post on an

Internet website maintained by the Office of Energy the notice of adoption of the most recent version of the *International Energy Conservation Code*, the date of adoption and any amendments to the *International Energy Conservation Code* adopted by the Director by regulation. (NAC 701.185)

Section 1 of this regulation: (1) Provides that the Director adopts by reference the most recently published form of the *International Energy Conservation Code* unless the Director gives notice that the most recently published form is not suitable for this State; (2) Adds provisions currently contained in NAC 701.187 concerning the availability of the *International Energy Conservation Code*; and (3) Sets forth the process by which the Director may determine that a particular revision of the *International Energy Conservation Code* is not suitable for this State. **Section 2** of this regulation repeals NAC 701.187, the provisions of which are added to subsection 2 of NAC 701.185 by **section 1** of this regulation.

Section 1. NAC 701.185 is hereby amended to read as follows:

701.185 1. The ~~2012~~ *Director hereby adopts by reference the International Energy Conservation Code [is hereby adopted by reference.] in the form most recently published by the International Code Council, unless the Director gives notice that the most recent publication is not suitable for this State pursuant to subsection 3.*

2. ~~On or before July 1, 2015, and on or before July 1 of every third year thereafter, the Director will review the most recent version of the International Energy Conservation Code, including any amendments thereto, and will adopt by reference the most recent version of the International Energy Conservation Code and prescribe by regulation such amendments to the most recent version of the International Energy Conservation Code as the Director deems necessary to support effective compliance with and enforcement of the International Energy Conservation Code in this State.] The International Energy Conservation Code and any amendments thereto, including, without limitation, any errata, published by the International Code Council may be obtained from the International Code Council, 25442 Network Place,~~

Chicago, Illinois 60673-1254, by telephone at (800) 786-4452 or at the Internet address <https://www.iccsafe.org>, for the price of \$31 for members and \$41 for nonmembers. The combined International Energy Conservation Code and ANSI/ASHRAE/IESNA Standard 90.1: Energy Standard for Buildings Except Low-Rise Residential Buildings may be obtained from the International Code Council for the price of \$132 for members and \$147 for nonmembers. Supplemental materials to the International Energy Conservation Code may also be obtained from the International Code Council.

3. The Director will ~~post on an Internet website maintained by the Office the notice of adoption of the most recent version of the International Energy Conservation Code, the date of adoption and any amendments to the International Energy Conservation Code adopted by the Director by regulation.~~ *review each revision of the publication adopted by reference pursuant to subsection 1 to determine its suitability for this State. If the Director determines that the revision is not suitable for this State, the Director will hold a public hearing to review his or her determination and give notice of that hearing within 6 months after the date of the publication of the revision. If, after the hearing, the Director does not revise his or her determination, the Director will give notice that the revision is not suitable for this State within 30 days after the hearing. If the Director does not give such notice, the revision becomes part of the publication adopted by reference pursuant to subsection 1.*

Sec. 2. NAC 701.187 is hereby repealed.

TEXT OF REPEALED SECTION

701.187 International Energy Conservation Code: Availability. (NRS 701.220) The 2012 International Energy Conservation Code and any amendments thereto published by the International Code Council may be obtained from the International Code Council, 25442 Network Place, Chicago, Illinois 60673-1254, by telephone at (800) 786-4452 or at the Internet address <http://www.iccsafe.org>, for the price of \$31 for members and \$41 for nonmembers. The combined 2012 International Energy Conservation Code and ANSI/ASHRAE/IESNA Standard 90.1-2010: Energy Standard for Buildings Except Low-Rise Residential Buildings may be obtained from the International Code Council for the price of \$132 for members and \$147 for nonmembers. Supplemental materials to the 2012 International Energy Conservation Code may also be obtained from the International Code Council.