



NEW MEXICO HOME BUILDERS ASSOCIATION

Construction Industries Division
P.O. Box 25101
Santa Fe, New Mexico 87504

July 28, 2020

Attention: Public Comments

Delivered via email to: mary.james2@state.nm.us

Re: 14.7.9 NMAC – 2018 New Mexico Commercial Energy Conservation Code

To Whom it May Concern:

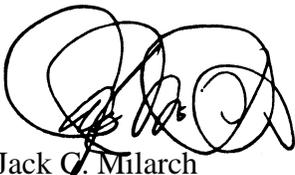
New Mexico Home Builders Association (NMHBA) welcomes this opportunity to provide comments on the final draft of the 2018 New Mexico Commercial Energy Conservation Code. NMHBA represents nearly 1900 companies in the housing, commercial construction, and associated industries across the state. Our members have one specific concern about the proposed regulations for residential construction.

The Draft code includes the requirement for expensive lighting controls that require a building engineer to re-program in all buildings, regardless of size, even when there are no on-site maintenance folks to perform the re-programming. This means, for instance, a small daycare center could not turn the lighting down while children take their naps unless this had been programmed in for a specific time of day – every day. And if a power outage caused the programming to be off, only an electrical engineer knowledgeable in that brand of light switch would be capable of re-programming the lighting. It is unclear how these switches deal with Daylight Savings Time falling forward and springing back.

NMHBA proposed that small buildings of 15,000 sq. ft. or less be exempted from this requirement in the code. Without an explanation, this proposal was not included in the Draft document. There is no doubt the upgrading of energy codes come with some increase in costs. This particular section would continue to add unnecessary sizeable costs for maintaining a small building for the life of the building.

NMHBA requests (again) that the proposed limitation of this section to buildings over 15,000 sq. ft. be included in the final adoption of the 2018 New Mexico Commercial Energy Conservation Code.

Sincerely,



Jack C. Milarch
Executive Vice President and CEO

2018 IECC NM ENERGY CODE CHANGE

NM Code Development Committee Attn: <i>Martin Romero</i> 2550 Cerrillos Road Santa Fe, NM 87505 Tele (505) 476-4672/Fax (505) 476-4685	Item _____ (for staff use only)
-----------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------

APPLICABLE SECTION/TABLE/FIGURE NUMBER(S) C405.2 Lighting controls
PROPONENT Jack Milarch- New Mexico Home Builders Association
ADDRESS 5931 Office Blvd. NE PHONE 505-344-7072
EMAIL jack@ nmhba.org FAX 505-344-3103

CHECK ONE:

- Change section to read as follows
 Add new section to read as follows
 Delete section and substitute as follows
 Delete section without substitution

~~Line through material to be deleted~~

Underline material to be added

USE SEPARATE SHEETS FOR SEPARATE TOPICS

C405.2 Lighting controls (Mandatory). In new construction in buildings with over 15,000 square feet of conditioned space, lighting systems shall be provided with controls that comply with one of the following.

1. Lighting controls as specified in Sections C405.2.1 through C405.2.6.
2. Luminaire level lighting controls (LLLC) and lighting controls as specified in Sections C405.2.1, C405.2.4 and C405.2.5. The LLLC luminaire shall be independently capable of:
 - 2.1. Monitoring occupant activity to brighten or dim lighting when occupied or unoccupied, respectively.
 - 2.2. Monitoring ambient light, both electric light and daylight, and brighten or dim artificial light to maintain desired light level.
 - 2.3. For each control strategy, configuration and reconfiguration of performance parameters including: bright and dim setpoints, timeouts, dimming fade rates, sensor sensitivity adjustments, and wireless zoning configurations.

Exceptions: Lighting controls are not required for the following:

1. Areas designated as security or emergency areas that are required to be continuously lighted.
2. Interior exit stairways, interior exit ramps and exit passageways.
3. Emergency egress lighting that is normally off.

REASON(s): It is unnecessary to put these highly technical lighting controls in small buildings where there is no maintenance staff on site. Buildings of this small size are already exempted from commissioning, so there is no maintenance manual for anyone to reference. If one of these units were to malfunction in a small building, the building owner/occupant would have to call an electrician to come repair/adjust it. Minimum on-site call is usually \$250, and this seems a hefty price to teach the owner/occupant how to adjust a light control.

Submit an original and one copy. Use separate sheets for separate topics. If required, start proposal on this sheet which will act as your cover and attach any additional sheets. If voluminous supporting data is submitted, it will be maintained on file in the NM Construction Industries Division office for review between the hours of 9:00 am and 5:00 pm, Monday through Friday, except holidays.