

MAINE STATE LEGISLATURE

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132nd MAINE LEGISLATURE

FIRST SPECIAL SESSION-2025

Legislative Document

No. 1232

H.P. 807

House of Representatives, March 25, 2025

An Act to Require Radon Testing for Certain Commercial and Residential Construction

Reference to the Committee on Housing and Economic Development suggested and ordered printed.

A handwritten signature in cursive script, reading "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative RUDNICKI of Fairfield. (BY REQUEST)
Cosponsored by Representatives: GUERRETTE of Caribou, MATLACK of St. George,
SAYRE of Kennebunk, WHITE of Ellsworth, Senator: GROHOSKI of Hancock.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 30-A MRSA §4105** is enacted to read:

3 **§4105. Radon permit**

4 **1. Radon permit.** In addition to the requirements of the Maine Uniform Building and
5 Energy Code under Title 10, chapter 1103, new construction of or improvements or
6 alterations to a commercial structure requiring a building permit and new construction of a
7 residential structure must receive a radon permit under this section. For purposes of this
8 section, "radon" has the same meaning as in Title 22, section 772, subsection 5.

9 **2. Permit requirements.** Requirements for a radon permit under subsection 1 are as
10 follows.

11 A. A person must be registered under Title 22, section 774 and must apply for a radon
12 permit and perform testing to determine the presence of radon and whether there is a
13 need for radon mitigation measures.

14 B. If the testing under paragraph A determines the need for radon mitigation measures,
15 a person must be registered under Title 22, section 775 and must design and install any
16 radon mitigation measures or equipment required to mitigate the radon.

17 **3. Exemptions.** This section does not apply to residential construction:

18 A. In a municipality that has not adopted a building code; or

19 B. Performed by the homeowner acting as the general contractor and who provides
20 more than 50% of the labor for framing and finishing the structure.

21 **4. Violations.** A person who violates this section:

22 A. For commercial construction, is subject to a penalty of \$1,000; and

23 B. For residential construction, is subject to a penalty of \$500.

24 A penalty under this subsection is payable to the division of environmental health within
25 the Department of Health and Human Services.

26 **SUMMARY**

27 This bill requires a radon permit for new commercial and residential construction and
28 for improvements or alterations to a commercial structure requiring a building permit. A
29 person registered by the Department of Health and Human Services to test radon must
30 apply for the permit and conduct testing, and if it is determined that radon mitigation
31 measures are required, the person designing and installing the radon mitigation measures
32 must be registered by the department. Residential construction in a municipality without a
33 building code or performed by a homeowner acting as a general contractor and who
34 performs more than 50% of the framing and finishing of the structure are exempt from the
35 permit requirements. Penalties for violations are \$1,000 for commercial construction and
36 \$500 for residential construction.