PORTABLE SOLAR ENERGY GENERATION DEVICES IN VIRGINIA AND UTAH

ELLEN CZAJKOWSKI, OFFICE OF LEGISLATIVE COUNSEL, 25 MARCH 2026

VIRGINIA'S LAW- EFFECTIVE JAN. 1, 2027

Definition- "small portable solar generation device" means a moveable photovoltaic generation device that

(i) has a maximum power output of not more than 1,200 watts per customer or, in the case of multi-family housing, per residential building unit;

(ii) is designed to be connected to the electrical system of a building through an electrical outlet;

(iii) is located on the customer's side of the electric meter and intended primarily to offset part of the customer's electricity consumption;

(iv) meets the standards of the most recent version of the National Electrical Code;

(v) is certified by a nationally recognized testing laboratory, as described in 29 C.F.R. § 1910.7, or an equivalent nationally recognized testing laboratory; and

(vi) includes a device or feature that prevents the device from affecting or exporting power to the electrical system of the building during a power outage.

A small portable solar generation device that has a maximum power output to the receptacle outlet of not more than 391 watts is exempt from product listing provisions that would require alterations to the building's premises, wiring, or electrical panels.

VIRGINIA'S LAW- EFFECTIVE JAN. 1, 2027

§15.2-2288.7. Local regulation of solar facilities and small portable solar generation devices.

No locality shall prohibit the use of a device on a residential structure, provided that such device

(i) is in compliance with any height and setback requirements in the zoning district where such residential structure is located;

(ii) is in compliance with any provisions pertaining to any local historic, architectural preservation, or corridor protection district where such residential structure is located; and

(iii) meets the requirements of this section and § 56-596.7.

VIRGINIA'S LAW

§ 15.2-2288.7. Local regulation of solar facilities and small portable solar generation devices.

G. A locality, by ordinance, may provide by-right authority for installation of solar facilities or devices in any zoning classification in addition to that provided in this section. A locality may also, by ordinance, require a property owner or an applicant for a permit pursuant to the Uniform Statewide Building Code who removes solar panels or devices to dispose of such panels or devices in accordance with such ordinance in addition to other applicable laws and regulations affecting such disposal.

VIRGINIA'S LAW

§ 55.1-1212.1. Installation of small portable solar generation devices.

B. No landlord who owns more than four rental dwelling units or more than a 10% interest in more than four rental dwelling units, whether individually or through a business entity, in the Commonwealth shall prohibit a tenant from installing a small portable solar generation device on the exterior of the tenant's premises. However, a landlord may establish reasonable restrictions concerning the size, place, and manner or placement of such small portable solar generation devices. The landlord may prohibit or restrict the installation of such small portable solar generation devices elsewhere on the premises.

C. A tenant shall provide notice to the landlord of intent to install a small portable solar generation device with documentation that such device meets the requirements in subsection A and that identifies the proposed location for installation at least seven days prior to installation. The landlord may respond to such notice with any reasonable restrictions concerning the size, place, and manner or placement of such device.

D. The tenant shall be responsible for any damages sustained to the rental dwelling unit or the premises as a result of any small portable solar generation device installed. No landlord shall be liable for failing to maintain a fit and habitable dwelling or provide an essential service based on a condition in the rental dwelling unit or premises caused solely by a small portable solar generation device installed on such premises.

E. No tenant renting a unit that is subject to ratio utility billing system may install a small portable generation device nor shall a tenant utilize or install such a device if it would require alterations to the building's premises, wiring, or electrical panels without express written approval of the tenant's landlord.

VIRGINIA'S LAW

- Portable solar not eligible for net metering or agricultural net metering
- Not eligible as small agricultural generators
- Includes portable solar in the definition of "goods"

VIRGINIA'S LAW

§ 56-596.7. Small portable solar generation devices; exempt from interconnection.

B. Any customer of an electric service provider may own and operate a small portable solar generation device that meets the requirements of this section without being subject to interconnection requirements, net energy metering provisions, or any other provision of law requiring reimbursement to or approval from the electric utility to own and operate the small portable solar generation device. No electric service provider shall require a customer using a small portable solar generation device to obtain the electric service provider's approval before installing or using the device, pay any fee or charge related to the device, or install any additional controls or equipment beyond what is integrated with the device. However, any customer of an electric service provider shall notify the electric service provider by submitting the form established by the Commission, online or by mail, prior to the installation of a small portable solar generation device. The electric service provider shall have 15 days after the date of notification to review the form for accuracy and completeness and respond to the customer to resolve any deficiencies. If the electric service provider does not respond within such 15-day period, the customer is deemed to have met such notification requirement and may install the device.

C. At any premises with more than one small portable solar generation device at a single property, or should the relevant distribution circuit require it, the electric utility or cooperative may install an automatic, locking disconnect switch.

D. A customer that owns and operates a small portable solar generation device shall ensure that the device includes a device or feature that prevents the device from exporting power to the electric grid or from affecting the electrical system of the building during a power outage.

E. No investor-owned utility, municipal utility, or electric cooperative shall be liable for any damage, injury, or interruption in electric service caused by a small portable solar generation device.

F. No provision of this section shall apply to a rental dwelling unit that is subject to a ratio utility billing system.

UTAH'S LAW- EFFECTIVE MAY 7, 2025

(13) "Portable solar generation device" means a moveable photovoltaic generation device that:

(a) has a maximum power output of not more than 1,200 watts;

(b) is designed to be connected to a building's electrical system through a standard 120-volt alternating current outlet; and

(c) is intended primarily to offset part of the customer's electricity consumption.

UTAH'S LAW- EFFECTIVE MAY 7, 2025

(3) "Customer generation system": (a) means an eligible facility that is used to supply energy to or for a specific customer that:

(i) has a generating capacity of:

(A) more than 1,200 watts but not more than 25 kilowatts for a residential facility; or

(B) not more than two megawatts for a non-residential facility, unless the governing authority approves a greater generation capacity;

(ii) is located on, or adjacent to, the premises of the electrical corporation's customer, subject to the electrical corporation's service requirements;

(iii) operates in parallel and is interconnected with the electrical corporation's distribution facilities;

(iv) is intended primarily to offset part or all of the customer's requirements for electricity; and

(v) is controlled by an inverter;

(b) includes an electric generator and its accompanying equipment package; and

(c) does not include a portable solar generation device.

UTAH'S LAW- EFFECTIVE MAY 7, 2025

54-15-601 . Portable solar generation device -- Exemptions -- Requirements.

(1) A portable solar generation device that meets the requirements of this part:

(a) is exempt from: (i) the interconnection requirements; and

(ii) requirements to enter into an interconnection agreement; and

(b) is not subject to the net metering program requirements under this chapter.

(2) A portable solar generation device shall include a device or feature that prevents the system from energizing the building's electrical system during a power outage.

(3) An electrical corporation:

(a) may not require a customer using a portable solar generation device to:

(i) obtain the electrical corporation's approval before installing or using the system

(ii) pay any fee or charge related to the system; or

(iii) install any additional controls or equipment beyond what is integrated into the system; and

(b) is not liable for any damage or injury caused by a portable solar generation device.

OVERLAP BETWEEN ALL THREE

- a moveable photovoltaic generation device
- is designed to be connected to a building's electrical system
- includes a device or feature that prevents the device from affecting or exporting power to the electrical system of the building during a power outage
- Exempt from interconnection agreements and net metering
- 1,200 watts
- Utility may not require a customer using a portable solar generation device to:

  (i) obtain the electrical corporation's approval before installing or using the system

  (ii) pay any fee or charge related to the system; or

  (iii) install any additional controls or equipment beyond what is integrated into the system