



State of Oregon Building Energy Performance Standard Policy

What this law covers

In 2023, the State of Oregon passed [House Bill 3409](#), establishing a Building Energy Performance Standard (BEPS) policy. It initially mandates benchmarking data collection, with specific [energy performance targets](#) to be finalized in December, 2024, and implemented on January 1, 2025. The Oregon Department of Energy (ODOE) will model these energy performance targets after national standard [ASHRAE 100](#).

There are two tiers of buildings that the BEPS covers under varying timelines. Tier 1 buildings include commercial properties over 35,000 square feet. Tier 2 buildings include commercial buildings between 20,000-35,000 square feet, as well as select buildings over 35,000 square feet, including multifamily housing, schools, universities, agricultural buildings, and energy-intensive structures like hospitals and manufacturing facilities.

The largest Tier 1 buildings have performance deadlines starting in 2028, whereas Tier 2 buildings will start benchmarking but won't have BEPS targets until 2030 or after.

Compliance pathways

The State of Oregon's BEPS offers multiple options for Tier 1 buildings to meet compliance. Requirements for Tier 2 buildings are still in the rulemaking process.

To meet standard Tier 1 compliance, a building owner must demonstrate that the building has reached or surpassed its performance target. Energy performance standards will be measured by Energy Use Intensity (EUI) targets, which will be set by building type according to section 7 of the ODOE draft rules, which went into effect on January 1, 2025.

To meet conditional Tier 1 compliance, a building owner must prepare an energy emissions management plan, develop a building operations and maintenance program to achieve applicable EUI, make investments in energy efficiency measures to hit the EUI target, and submit audits linked to ASHRAE Standard 211 audits.

What this means for you

- Compliance schedule for Tier 1 buildings:
 - Tier 1 buildings over 200,000 square feet: June 1, 2028
 - Tier 1 buildings 90,000-200,000 square feet: June 1, 2029
 - Tier 1 buildings 35,000-89,999 square feet: June 1, 2030
- The ODOE will establish an incentive payment program for eligible owners of covered commercial buildings that implement ASHRAE Standard 100 or meet their energy performance target before adoption and implementation is mandatory.
- For more information, visit the [Oregon BEPS webpage](#), read an [IMT blog post](#) discussing the policy, and stay updated by following the [BEPS rulemaking page](#).
- Be sure to familiarize yourself with the draft EUI targets:

| Building Activity Type | | | | Climate Zone 4C | Climate Zone 5B |
|------------------------|-------------------------------|--------------------------------|--------------------------|------------------|------------------|
| No. | Portfolio Manager Types | Portfolio Manager Subtypes | Subtypes: Detailed | EUI _t | EUI _t |
| 1 | Banking/financial services | Bank branch | | 53 | 55 |
| 2 | Banking/financial services | Financial office | | 53 | 55 |
| 3 | Education | Adult education | | 48 | 49 |
| 4 | Education | College/university | | 79 | 79 |
| 5 | Education | K-12 school | Elementary/middle school | 39 | 40 |
| 6 | Education | K-12 school | High school | 43 | 44 |
| 7 | Education | Preschool/daycare | | 60 | 60 |
| 8 | Education | Vocational school | | 48 | 49 |
| 9 | Education | Other—education | | 48 | 49 |
| 10 | Entertainment/public assembly | Aquarium | | 50 | 54 |
| 11 | Entertainment/public assembly | Bar/nightclub | | 50 | 54 |
| 12 | Entertainment/public assembly | Bowling alley | | 82 | 88 |
| 13 | Entertainment/public assembly | Casino | | 50 | 54 |
| 14 | Entertainment/public assembly | Convention center | | 63 | 65 |
| 15 | Entertainment/public assembly | Fitness center/health club/gym | | 82 | 88 |
| 16 | Entertainment/public assembly | Ice/curling rink | | 82 | 88 |
| 17 | Entertainment/public assembly | Indoor arena | | 88 | 91 |
| 18 | Entertainment/public assembly | Movie theater | | 88 | 91 |
| 19 | Entertainment/public assembly | Museum | | 88 | 91 |
| 20 | Entertainment/public assembly | Performing arts | | 50 | 54 |
| 21 | Entertainment/public assembly | Race track | | 88 | 91 |
| 22 | Entertainment/public assembly | Roller rink | | 82 | 88 |
| 23 | Entertainment/public assembly | Social/meeting hall | | 63 | 65 |

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|-----|-------------------------------|---|-----------------------|------------------|------------------|
| No. | Portfolio Manager Types | Portfolio Manager Subtypes | Subtypes: Detailed | EUI _t | EUI _t |
| 24 | Entertainment/public assembly | Stadium (closed) | | 88 | 91 |
| 25 | Entertainment/public assembly | Stadium (open) | | 88 | 91 |
| 26 | Entertainment/public assembly | Swimming pool | | 82 | 88 |
| 27 | Entertainment/public assembly | Zoo | | 50 | 54 |
| 28 | Entertainment/public assembly | Other—entertainment/public assembly | Entertainment/culture | 88 | 91 |
| 29 | Entertainment/public assembly | Other—entertainment/public assembly | Library | 38 | 40 |
| 30 | Entertainment/public assembly | Other—entertainment/public assembly | Other public assembly | 50 | 54 |
| 31 | Entertainment/public assembly | Other—entertainment/public assembly | Recreation | 82 | 88 |
| 32 | Entertainment/public assembly | Other—entertainment/public assembly | Social/meeting | 63 | 65 |
| 33 | Entertainment/public assembly | Other—recreation | | 82 | 88 |
| 34 | Entertainment/public assembly | Other—stadium | | 88 | 91 |
| 35 | Food sales and service | Bar/nightclub | | 281 | 293 |
| 36 | Food sales and service | Convenience store with gas station | | 179 | 185 |
| 37 | Food sales and service | Convenience store without gas station | | 179 | 185 |
| 38 | Food sales and service | Fast food restaurant | | 266 | 282 |
| 39 | Food sales and service | Food sales | | 153 | 157 |
| 40 | Food sales and service | Food sales | | 179 | 185 |
| 41 | Food sales and service | Food sales | | 179 | 185 |
| 42 | Food sales and service | Food sales | | | |
| 43 | Food sales and service | Food service | | 266 | 282 |
| 44 | Food sales and service | Food service | | 281 | 293 |
| 45 | Food sales and service | Food service | | | |
| 46 | Food sales and service | Restaurant | | 281 | 293 |
| 47 | Food sales and service | Supermarket/grocery store | | 153 | 157 |
| 48 | Food sales and service | Wholesale club/supercenter | | | |
| 49 | Food sales and service | Other—restaurant/bar | | 281 | 293 |
| 50 | Healthcare | Ambulatory surgical center | | 92 | 99 |
| 51 | Healthcare | Hospital (general medical and surgical) | | 203 | 203 |
| 52 | Healthcare | Medical office | | | |

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|-----|-------------------------|--|-----------------------------|------------------|------------------|
| No. | Portfolio Manager Types | Portfolio Manager Subtypes | Subtypes: Detailed | EUI _t | EUI _t |
| 53 | Healthcare | Outpatient rehabilitation/physical therapy | | 92 | 99 |
| 54 | Healthcare | Residential care facility | | 79 | 83 |
| 55 | Healthcare | Senior care community | | 79 | 83 |
| 56 | Healthcare | Urgent care/clinic/other outpatient | | 92 | 99 |
| 57 | Healthcare | Other—specialty hospital | | 203 | 203 |
| 58 | Lodging/residential | Barracks | Hotel | 63 | 64 |
| 59 | Lodging/residential | Hotel | Motel or inn | 65 | 69 |
| 60 | Lodging/residential | Hotel | | 83 | 87 |
| 61 | Lodging/residential | Multifamily housing | | 32 | 33 |
| 62 | Lodging/residential | Prison/incarceration | | 100 | 105 |
| 63 | Lodging/residential | Residence hall/dormitory | | 63 | 64 |
| 64 | Lodging/residential | Residential care facility | | 79 | 83 |
| 65 | Lodging/residential | Senior care community | | 79 | 83 |
| 66 | Lodging/residential | Other—lodging/residential | | 78 | 81 |
| 67 | Mixed-use | Mixed-use property | | | |
| 68 | Office | Medical office | Admin/professional office | | |
| 69 | Office | Office | Bank/other financial | 50 | 52 |
| 70 | Office | Office | Government office | 53 | 55 |
| 71 | Office | Office | Medical office (diagnostic) | 57 | 59 |
| 72 | Office | Office | Other office | 77 | 83 |
| 73 | Office | Office | | 57 | 59 |
| 74 | Office | Veterinary office | | 92 | 99 |
| 75 | Office | Other—office | | 57 | 59 |
| 76 | Public services | Courthouse | | 100 | 105 |
| 77 | Public services | Fire station | | 64 | 67 |
| 78 | Public services | Library | | 38 | 40 |
| 79 | Public services | Mailing center/post office | | 80 | 83 |
| 80 | Public services | Police station | | 64 | 67 |
| 81 | Public services | Prison/incarceration | | 100 | 105 |
| 82 | Public services | Social/meeting hall | | 63 | 65 |
| 83 | Public services | Transportation terminal/station | | 50 | 54 |

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|------------------------|-------------------------|---|-----------------------------|------------------|------------------|
| No. | Portfolio Manager Types | Portfolio Manager Subtypes | Subtypes: Detailed | EUI _t | EUI _t |
| 84 | Public services | Other—public service | | 48 | 51 |
| 85 | Religious worship | Worship facility | | 50 | 54 |
| 86 | Retail | Automobile dealership | | 52 | 58 |
| 87 | Retail | Convenience store with gas station | | 179 | 185 |
| 88 | Retail | Convenience store without gas station | | 179 | 185 |
| 89 | Retail | Enclosed mall | | 38 | 42 |
| 90 | Retail | Lifestyle center | Enclosed mall | 38 | 42 |
| 91 | Retail | Lifestyle center | Other retail | 40 | 45 |
| 92 | Retail | Lifestyle center | Retail store | 40 | 45 |
| 93 | Retail | Lifestyle center | | | |
| 94 | Retail | Retail store | | 46 | 50 |
| 95 | Retail | Strip mall | | | |
| 96 | Retail | Supermarket/grocery store | | 153 | 157 |
| 97 | Retail | Wholesale club/supercenter | | | |
| 98 | Retail | Other—retail/mall | Enclosed mall | 38 | 42 |
| 99 | Retail | Other—retail/mall | | 40 | 45 |
| 100 | Technology/science | Data center | | | |
| 101 | Technology/science | Laboratory | | 180 | 188 |
| 102 | Technology/science | Other—technology/science | Other service | 48 | 51 |
| 103 | Services | Personal services (health/beauty, dry cleaning, etc.) | | 48 | 51 |
| 104 | Services | Repair services | Repair shop | 45 | 48 |
| 105 | Services | Repair services | 106 | | |
| 106 | Services | Repair services | Vehicle storage/maintenance | 33 | 35 |
| 107 | Services | Other—services | | 48 | 51 |
| 108 | Utility | Energy/power station | | | |
| 109 | Utility | Other—utility | | | |
| 110 | Warehouse/storage | Self-storage facility | | 23 | 29 |
| 111 | Warehouse/storage | Distribution center | | 25 | 34 |
| 112 | Warehouse/storage | Nonrefrigerated warehouse | | 23 | 29 |
| 113 | Warehouse/storage | Refrigerated warehouse | | 76 | 79 |

How we can help

Partner with Johnson Controls to develop an excellent sustainability and resiliency program to comply with Building Performance Standards laws. We'll build your business case to meet your needs, and we'll help balance the traditional conflict between cost savings and investment. We offer a wide assortment of building systems that can help you reduce your facility's emissions. We blend technical and operational expertise with our reputation for quality.

Step 1: Assess your facility.

We look at current and anticipated use to understand present energy usage, plan for energy needs, and review indoor air quality. We also make sure all your systems are right sized for your facility, which is essential for efficient operation.

Step 2: Help build your business case.

Our team develops models specific to your equipment and facility, giving you a clear picture of potential efficiency gains and lifecycle cost improvements. We draw on our industry know-how to incorporate additional opportunities to optimize performance.

Step 3: Recommend next steps.

We lay out a step-by-step plan for you to modernize against your goals and budget. We give you a menu of options and recommendations that make sense for your facility, and we include a range of smart technologies, such as tools to support predictive maintenance.

HVAC Equipment and Hydronic Systems

We offer the largest portfolio of HVAC equipment and controls in the world. With expertise in mechanical retrofitting existing systems, our team performs audits of the current equipment and identifies deficiencies that prevent you from meeting regulations and best practices in indoor air quality. From there our experts will design and recommend solutions to meet today's energy, decarbonization and healthy buildings initiatives.

Building Automation Systems and Controls

Our next generation building automation systems make it possible to extend automated control to every building system from a single platform. We make everything from simple, configurable controls to highly programmable automation systems for entire facilities. Our systems allow you to improve control of your key systems and improve desired outcomes against your goals for indicators such as CO2, Energy Use Index (EUI), kWh, emissions intensity.

Accessible Digital Tools

Our suite of tailored, AI-powered digital solutions optimize building performance through predictive maintenance, remote diagnostics, emission management, goal and targets, and more. Leverage our OpenBlue platform to integrate with Metasys and third-party BMS to deliver optimal building outcomes, ensuring compliance with building performance standards while also balancing comfort, air quality, costs and emissions.

Water Usage Reduction

We supply the expertise and funding mechanisms to provide water and energy conservation solutions for businesses. By helping decrease water leakage and operational costs, we can reduce water consumption by up to 50 percent. Water heaters can be upgraded from fossil fuel fired to electric, or we can provide high efficiency or indirect options. Our experts are able to calculate the most effective ways to reduce water usage in sinks and toilets.

Lighting

We partner with the world's premier lighting innovators to revolutionize interior and exterior lighting. Our experienced lighting engineers have designed and executed hundreds of millions of dollars in lighting projects around the world. By integrating the lighting systems to work in conjunction with existing building systems the result is a holistic system better suited for energy efficiency, convenience and security. From clinics to classrooms, these intelligent lighting systems provide advantages well beyond energy savings to help buildings run more efficiently.

Your partner in sustainability and net zero

As leaders in sustainability and net zero, our approach brings together expertise with leading capability to deliver energy efficient outcomes through our building and infrastructure management services. Upon review of your goals and your facility, our team advises on all aspects of ESG and sustainability to provide a comprehensive roadmap of actions and solutions to meet the critical milestones.

Ready to get started?

Contact your local Johnson Controls representative or visit johnsoncontrols.com/BPS

