
HOUSE BILL 2703

State of Washington 60th Legislature 2008 Regular Session

By Representatives Morris, Morrell, and Hudgins

Read first time 01/16/08. Referred to Committee on Technology,
Energy & Communications.

1 AN ACT Relating to encouraging energy efficiency; amending RCW
2 19.260.020; adding new sections to chapter 19.260 RCW; creating a new
3 section; and providing an expiration date.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 19.260.020 and 2006 c 194 s 1 are each amended to read
6 as follows:

7 The definitions in this section apply throughout this chapter
8 unless the context clearly requires otherwise.

9 (1) "Automatic commercial ice cube machine" means a factory-made
10 assembly, not necessarily shipped in one package, consisting of a
11 condensing unit and ice-making section operating as an integrated unit
12 with means for making and harvesting ice cubes. It may also include
13 integrated components for storing or dispensing ice, or both.

14 (2) "Ballast" means a device used with an electric discharge lamp
15 to obtain necessary circuit conditions, such as voltage, current, and
16 waveform, for starting and operating the lamp.

17 (3) "Commercial clothes washer" means a soft mount horizontal or
18 vertical-axis clothes washer that: (a) Has a clothes container
19 compartment no greater than 3.5 cubic feet in the case of a horizontal-

1 axis product or no greater than 4.0 cubic feet in the case of a
2 vertical-axis product; and (b) is designed for use by more than one
3 household, such as in multifamily housing, apartments, or coin
4 laundries.

5 (4) "Commercial prerinse spray valve" means a handheld device
6 designed and marketed for use with commercial dishwashing and
7 warewashing equipment and that sprays water on dishes, flatware, and
8 other food service items for the purpose of removing food residue prior
9 to their cleaning.

10 (5)(a) "Commercial refrigerators and freezers" means refrigerators,
11 freezers, or refrigerator-freezers designed for use by commercial or
12 institutional facilities for the purpose of storing or merchandising
13 food products, beverages, or ice at specified temperatures that: (i)
14 Incorporate most components involved in the vapor-compression cycle and
15 the refrigerated compartment in a single cabinet; and (ii) may be
16 configured with either solid or transparent doors as a reach-in
17 cabinet, pass-through cabinet, roll-in cabinet, or roll-through
18 cabinet.

19 (b) "Commercial refrigerators and freezers" does not include: (i)
20 Products with ((85)) eighty-five cubic feet or more of internal volume;
21 (ii) walk-in refrigerators or freezers; (iii) consumer products that
22 are federally regulated pursuant to 42 U.S.C. Sec. 6291 et seq.; (iv)
23 products without doors; or (v) freezers specifically designed for ice
24 cream.

25 (6) "Compensation" means money or any other valuable thing,
26 regardless of form, received or to be received by a person for services
27 rendered.

28 (7) "Department" means the department of community, trade, and
29 economic development.

30 (8) "Enhanced spectrum" means an incandescent lamp that is not a
31 colored incandescent lamp, and, when operated at its rated voltage and
32 wattage: (a) Has a color point (x,y) chromaticity coordinates on the
33 commission internationale de l'eclairage (C.I.E.) 1931 chromaticity
34 diagram that lies below the black-body locus; and (b) has a color point
35 (x,y) chromaticity coordinates on the C.I.E. 1931 chromaticity diagram
36 that lies at least four MacAdam steps distant from the color point of
37 a clear lamp with the same filament and bulb shape, operated at the

1 same rated voltage and wattage. The MacAdam steps are defined as
2 referenced in illuminating engineering society of North America
3 LM-16-1993.

4 (9) "General purpose lights" means lamps, bulbs, tubes, or other
5 electric devices that provide functional illumination for indoor
6 residential, indoor commercial, and outdoor use. "General purpose
7 lights" do not include any of the following specialty lighting:
8 Appliance, black light, bug, colored, infrared, left-hand thread,
9 marine, marine signal service, mine service, plant light, reflector,
10 rough service, shatter resistant, sign service, silver bowl, showcase,
11 three-way, traffic signal, and vibration service or vibration
12 resistant. "General purpose lights" also do not include lights needed
13 to provide special needs lighting for individuals with exceptional
14 needs.

15 (10) "High-intensity discharge lamp" means a lamp in which light is
16 produced by the passage of an electric current through a vapor or gas,
17 and in which the light-producing arc is stabilized by bulb wall
18 temperature and the arc tube has a bulb wall loading in excess of three
19 watts per square centimeter.

20 ~~((9))~~ (11) "Metal halide lamp" means a high-intensity discharge
21 lamp in which the major portion of the light is produced by radiation
22 of metal halides and their products of dissociation, possibly in
23 combination with metallic vapors.

24 ~~((10))~~ (12) "Metal halide lamp fixture" means a light fixture
25 designed to be operated with a metal halide lamp and a ballast for a
26 metal halide lamp.

27 ~~((11))~~ (13) "Pass-through cabinet" means a commercial
28 refrigerator or freezer with hinged or sliding doors on both the front
29 and rear of the unit.

30 ~~((12))~~ (14) "Probe-start metal halide ballast" means a ballast
31 used to operate metal halide lamps which does not contain an igniter
32 and which instead starts lamps by using a third starting electrode
33 "probe" in the arc tube.

34 ~~((13))~~ (15) "Reach-in cabinet" means a commercial refrigerator or
35 freezer with hinged or sliding doors or lids, but does not include
36 roll-in or roll-through cabinets or pass-through cabinets.

37 ~~((14))~~ (16) "RoHS directive" means directive 2002/95/EC, adopted
38 by the European parliament and the council of the European Union on

1 January 27, 2003, on the restriction of certain hazardous substances in
2 electrical and electronic equipment as amended on the effective date of
3 this section.

4 (17)(a) "Roll-in cabinet" means a commercial refrigerator or
5 freezer with hinged or sliding doors that allow wheeled racks of
6 product to be rolled into the unit.

7 (b) "Roll-through cabinet" means a commercial refrigerator or
8 freezer with hinged or sliding doors on two sides of the cabinet that
9 allow wheeled racks of product to be rolled through the unit.

10 ~~((15))~~ (18)(a) "Single-voltage external AC to DC power supply"
11 means a device that: (i) Is designed to convert line voltage
12 alternating current input into lower voltage direct current output;
13 (ii) is able to convert to only one DC output voltage at a time; (iii)
14 is sold with, or intended to be used with, a separate end-use product
15 that constitutes the primary power load; (iv) is contained within a
16 separate physical enclosure from the end-use product; (v) is connected
17 to the end-use product via a removable or hard-wired male/female
18 electrical connection, cable, cord, or other wiring; and (vi) has a
19 nameplate output power less than or equal to 250 watts.

20 (b) "Single-voltage external AC to DC power supply" does not
21 include: (i) Products with batteries or battery packs that physically
22 attach directly to the power supply unit; (ii) products with a battery
23 chemistry or type selector switch and indicator light; or (iii)
24 products with a battery chemistry or type selector switch and a state
25 of charge meter.

26 ~~((16))~~ (19) "State-regulated general service incandescent lamp"
27 means a standard incandescent or halogen type lamp that is intended for
28 general service applications; has a medium screw base; has a wattage
29 rating no less than 25 watts and no greater than 150 watts; has a rated
30 voltage range at least partially within 110 and 130 volts; has an A-15,
31 A-19, A-21, A-23, A-25, PS-25, PS-30, BT-14.5, BT-15, CP-19, TB-19,
32 CA-22, or equivalent shape as defined in ANSI C78.20-2003; and has a
33 bulb finish of the frosted, clear, or soft white type. The following
34 incandescent lamps are not state-regulated general service incandescent
35 lamps: Appliance, black light, bug, colored, enhanced spectrum,
36 infrared, left-hand thread, marine, marine signal service, mine
37 service, plant light, reflector, rough service, shatter resistant, sign

1 service, silver bowl, showcase, three-way, traffic signal, and
2 vibration service or vibration resistant.

3 (20) "State-regulated incandescent reflector lamp" means a lamp
4 that is not colored or designed for rough or vibration service
5 applications, that has an inner reflective coating on the outer bulb to
6 direct the light, an E26 medium screw base, and a rated voltage or
7 voltage range that lies at least partially within 115 to 130 volts, and
8 that falls into one of the following categories:

9 (a) A bulged reflector or elliptical reflector bulb shape and which
10 has a diameter which equals or exceeds 2.25 inches;

11 (b) A reflector, parabolic aluminized reflector, or similar bulb
12 shape and which has a diameter of 2.25 to 2.75 inches.

13 ~~((+17))~~ (21) "Transformer" means a device consisting of two or
14 more coils of insulated wire and that is designed to transfer
15 alternating current by electromagnetic induction from one coil to
16 another to change the original voltage or current value.

17 ~~((+18))~~ (22)(a) "Unit heater" means a self-contained, vented fan-
18 type commercial space heater that uses natural gas or propane, and that
19 is designed to be installed without ducts within a heated space.

20 (b) "Unit heater" does not include any products covered by federal
21 standards established pursuant to 42 U.S.C. Sec. 6291 et seq. or any
22 product that is a direct vent, forced flue heater with a sealed
23 combustion burner.

24 NEW SECTION. Sec. 2. A new section is added to chapter 19.260 RCW
25 to read as follows:

26 (1) Except as provided in subsections (4), (5), and (6) of this
27 section, a person may not manufacture general purpose lights for sale
28 in this state on or after January 1, 2010, if the general purpose
29 lights contain levels of hazardous substances that would result in the
30 prohibition of those general purpose lights being sold or offered for
31 sale in the European Union under the RoHS directive.

32 (2) Except as provided in subsections (4), (5), and (6) of this
33 section, a person may not sell or offer for sale in this state general
34 purpose lights under any of the following circumstances:

35 (a) The general purpose light being sold or offered for sale was
36 manufactured on or after January 1, 2010, and contains levels of

1 hazardous substances that would result in the prohibition of those
2 general purpose lights being sold or offered for sale in the European
3 Union under the RoHS directive;

4 (b) The manufacturer of the general purpose light sold or being
5 offered for sale fails to provide documentation to the department as
6 required by subsection (7) of this section; or

7 (c) The manufacturer of the general purpose light being sold or
8 offered for sale does not provide the documentation to the department
9 required under subsection (8) of this section.

10 (3) The department shall determine the products covered by the RoHS
11 directive by reference to the authoritative guidance published by the
12 United Kingdom implementing the RoHS directive in that country.

13 (4)(a) Except as provided in subsection (2)(b) of this section,
14 subsections (1), (2), (7), and (8) of this section do not apply to high
15 output and very high output linear fluorescent lamps greater than
16 thirty-two millimeters in diameter and preheat linear fluorescent
17 lamps.

18 (b) After January 1, 2014, the department shall determine, in
19 consultation with companies that manufacture lamps specified in
20 subsection (2)(a) of this section in the United States, if those lamps
21 should be subject to the requirements of subsections (1), (2), (7), and
22 (8) of this section, taking into consideration changes in lamp design
23 or manufacturing technology that will allow for the removal or
24 reduction of mercury.

25 (5) After December 31, 2011, subsections (1), (2), (7), and (8) of
26 this section are applicable to high intensity discharge lamps and
27 compact fluorescent lamps greater than nine inches in length.

28 (6) After December 31, 2013, subsections (1), (2), (7), and (8) of
29 this section are applicable to state-regulated general service
30 incandescent lamps and enhanced spectrum lamps.

31 (7) A manufacturer of general purpose lights sold or being offered
32 for sale in Washington shall prepare and, at the request of the
33 department, submit within twenty-eight days of the request, technical
34 documentation or other information showing that the manufacturer's
35 general purpose lights sold or offered for sale in the state comply
36 with the requirements of the RoHS directive.

37 (8) A manufacturer of general purpose lights sold or being offered
38 for sale in Washington shall provide, upon request, a certification to

1 a person who sells or offers for sale that manufacturer's general
2 purpose lights. The certification must attest that the general purpose
3 lights do not contain levels of hazardous substances that would result
4 in the prohibition of those general purpose lights being sold or
5 offered for sale in Washington. Alternatively, the manufacturer may
6 display the certification required by this subsection prominently on
7 the shipping container or packaging of the general purpose lights.

8 (9) The department may adopt rules to implement and administer this
9 section.

10 NEW SECTION. **Sec. 3.** A new section is added to chapter 19.260 RCW
11 to read as follows:

12 (1) By December 1, 2008, the department shall adopt minimum energy
13 efficiency standards for all general purpose lights on a schedule
14 specified in the rules. The rules must be structured to reduce average
15 statewide electrical energy consumption by not less than fifty percent
16 from estimated 2007 levels for indoor residential lighting and by not
17 less than twenty-five percent from the estimated 2007 levels for indoor
18 commercial and outdoor lighting, by 2018.

19 (2) By December 1, 2015, the department shall make recommendations
20 to the governor and the legislature on an annual basis on how to
21 continue reductions in electrical consumption for lighting beyond 2018.

22 (3) The department may establish programs to encourage the sale in
23 this state of general purpose lights that meet or exceed the standards
24 set forth in subsection (1) of this section.

25 (4)(a) Except as provided in (b) of this subsection, the department
26 of general administration, and all other state agencies, in
27 coordination with the department, shall cease purchasing general
28 purpose lights that do not meet the standards adopted under subsection
29 (1) of this section, within two years of those standards being adopted.

30 (b) The department of general administration, and all other state
31 agencies, in coordination with the department, shall cease purchasing
32 general service lights with an appearance that is historically
33 appropriate for the facilities in which the lights are being used, and
34 that do not meet the standards adopted under subsection (1) of this
35 section within four years of those standards being adopted.

36 (5) The department may, after one or more public workshops, with
37 public notice and an opportunity for all interested parties to comment,

1 provide for inclusion of a particular type of specialty light in its
2 energy efficiency standards applicable to general purpose lighting, if
3 the department finds that there has been a significant increase in
4 sales of that particular type of particular specialty light due to the
5 use of that specialty light in general purpose lighting applications.

6 NEW SECTION. **Sec. 4.** A new section is added to chapter 19.260 RCW
7 to read as follows:

8 By January 1, 2010, the department of general administration shall
9 prepare a strategy to increase state agency use of general purpose
10 lights that meet the energy efficiency standards adopted by the
11 department under section 3 of this act.

12 NEW SECTION. **Sec. 5.** (1) The department of ecology, in
13 consultation with the solid waste advisory committee created under RCW
14 70.95.040, shall convene a work group with representatives of the
15 lighting industry, environmental organizations, fluorescent lamp
16 retailers, waste haulers, lamp recyclers, and local governments to
17 consider and make recommendations on the following issues:

18 (a) The most effective, cost-efficient, and convenient method for
19 the consumer to provide for the proper collection and recycling of any
20 end-of-life general purpose lights generated in this state;

21 (b) Methods to educate consumers about the proper management of and
22 collection opportunities for end-of-life general purpose lights; and

23 (c) Designation on the general purpose light and light packaging
24 regarding the proper recycling of the light.

25 (2) The department of ecology shall report its findings and
26 recommendations for implementing and financing a recycling program for
27 fluorescent lamps to the appropriate committees of the legislature by
28 December 1, 2008.

29 (3) This section expires September 1, 2009.

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