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HOUSE BILL 2327

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State of Washington

65th Legislature

2018 Regular Session

By Representatives Morris, Hudgins, Tarleton, Fey, Slatter, Fitzgibbon, Macri, Ormsby, and Doglio

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1 AN ACT Relating to appliance efficiency standards; amending RCW  
2 19.260.010, 19.260.030, 19.260.040, 19.260.050, 19.260.060, and  
3 19.260.070; reenacting and amending RCW 19.260.020; and repealing RCW  
4 19.27.170.

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

6 **Sec. 1.** RCW 19.260.010 and 2005 c 298 s 1 are each amended to  
7 read as follows:

8 The legislature finds that efficiency standards:

9 ~~(1) ((According to estimates of the department of community,~~  
10 ~~trade, and economic development, the efficiency standards set forth~~  
11 ~~in chapter 298, Laws of 2005 will save nine hundred thousand~~  
12 ~~megawatt-hours of electricity, thirteen million therms of natural~~  
13 ~~gas, and one billion seven hundred million gallons of water in the~~  
14 ~~year 2020, fourteen years after the standards have become effective,~~  
15 ~~with a total net present value to buyers of four hundred ninety~~  
16 ~~million dollars in 2020.~~

17 ~~(2) Efficiency standards))~~ For certain products sold or installed  
18 in the state assure consumers and businesses that such products meet  
19 minimum efficiency performance levels thus saving money on utility  
20 bills.

1       (~~(3) Efficiency standards~~) (2) Save energy and reduce pollution  
2 and other environmental impacts associated with the production,  
3 distribution, and use of electricity and natural gas.

4       (~~(4) Efficiency standards~~) (3) Contribute to the economy of  
5 Washington by helping to better balance energy supply and demand,  
6 thus reducing pressure for higher natural gas and electricity prices.  
7 By saving consumers and businesses money on energy bills, efficiency  
8 standards help the state and local economy, since energy bill savings  
9 can be spent on local goods and services.

10       (~~(5) Efficiency standards~~) (4) Can make electricity systems  
11 more reliable by reducing the strain on the electricity grid during  
12 peak demand periods. Furthermore, improved energy efficiency can  
13 reduce or delay the need for new power plants, power transmission  
14 lines, and power distribution system upgrades.

15       **Sec. 2.** RCW 19.260.020 and 2009 c 565 s 18 and 2009 c 501 s 1  
16 are each reenacted and amended to read as follows:

17       The definitions in this section apply throughout this chapter  
18 unless the context clearly requires otherwise.

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

24       ~~(2))~~ "Bottle-type water dispenser" means a water dispenser that  
25 uses a bottle or reservoir as the source of potable water.

26       (~~(3))~~ (2) "Commercial hot food holding cabinet" means a heated,  
27 fully enclosed compartment, with one or more solid or partial glass  
28 doors, that is designed to maintain the temperature of hot food that  
29 has been cooked in a separate appliance. "Commercial hot food holding  
30 cabinet" does not include heated glass merchandising cabinets, drawer  
31 warmers, or cook and hold appliances.

32       (~~(4)(a)~~) ~~"Commercial refrigerators and freezers" means~~  
33 ~~refrigerators, freezers, or refrigerator freezers designed for use by~~  
34 ~~commercial or institutional facilities for the purpose of storing or~~  
35 ~~merchandising food products, beverages, or ice at specified~~  
36 ~~temperatures that: (i) Incorporate most components involved in the~~  
37 ~~vapor-compression cycle and the refrigerated compartment in a single~~  
38 ~~cabinet; and (ii) may be configured with either solid or transparent~~

1 ~~doors as a reach-in cabinet, pass-through cabinet, roll-in cabinet,~~  
2 ~~or roll-through cabinet.~~

3 ~~(b) "Commercial refrigerators and freezers" does not include: (i)~~  
4 ~~Products with 85 cubic feet or more of internal volume; (ii) walk-in~~  
5 ~~refrigerators or freezers; (iii) consumer products that are federally~~  
6 ~~regulated pursuant to 42 U.S.C. Sec. 6291 et seq.; (iv) products~~  
7 ~~without doors; or (v) freezers specifically designed for ice cream.~~

8 ~~(5))~~ (3) "Compensation" means money or any other valuable thing,  
9 regardless of form, received or to be received by a person for  
10 services rendered.

11 ~~((6))~~ (4) "Cook and hold appliance" means a multiple mode  
12 appliance intended for cooking food that may be used to hold the  
13 temperature of the food that has been cooked in the same appliance.

14 ~~((7))~~ (5) "Department" means the department of commerce.

15 ~~((8))~~ (6) "Drawer warmer" means an appliance that consists of  
16 one or more heated drawers and that is designed to hold hot food that  
17 has been cooked in a separate appliance at a specified temperature.

18 ~~((9))~~ (7) "Heated glass merchandising cabinet" means an  
19 appliance with a heated cabinet constructed of glass or clear plastic  
20 doors which, with seventy percent or more clear area, is designed to  
21 display and maintain the temperature of hot food that has been cooked  
22 in a separate appliance.

23 ~~((10))~~ (8) "Hot water dispenser" means a small electric water  
24 heater that has a measured storage volume of no greater than one  
25 gallon.

26 ~~((11))~~ (9) "Mini-tank electric water heater" means a small  
27 electric water heater that has a measured storage volume of more than  
28 one gallon and a rated storage volume of less than twenty gallons.

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

32 ~~(13))~~ (10) "Point-of-use water dispenser" means a water  
33 dispenser that uses a pressurized water utility connection as the  
34 source of potable water.

35 ~~((14) "Pool heater" means an appliance designed for heating~~  
36 ~~nonpotable water contained at atmospheric pressure for swimming~~  
37 ~~pools, spas, hot tubs, and similar applications.~~

38 ~~(15))~~ (11) "Portable electric spa" means a factory-built  
39 electric spa or hot tub, supplied with equipment for heating and  
40 circulating water.

1       ~~((16) "Reach in cabinet" means a commercial refrigerator or~~  
2 ~~freezer with hinged or sliding doors or lids, but does not include~~  
3 ~~roll in or roll through cabinets or pass through cabinets.~~

4       ~~(17))~~ (12) "Residential pool pump" means a pump used to  
5 circulate and filter pool water in order to maintain clarity and  
6 sanitation.

7       ~~((18)(a) "Roll in cabinet" means a commercial refrigerator or~~  
8 ~~freezer with hinged or sliding doors that allow wheeled racks of~~  
9 ~~product to be rolled into the unit.~~

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

13       ~~(19))~~ (13) "Showerhead" means a device through which water is  
14 discharged for a shower bath and includes a body sprayer and handheld  
15 showerhead but does not include a safety showerhead.

16       ~~((20))~~ (14) "Showerhead tub spout diverter combination" means a  
17 group of plumbing fittings sold as a matched set and consisting of a  
18 control valve, a tub spout diverter, and a showerhead.

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

25       ~~(a) A bulged reflector or elliptical reflector bulb shape and~~  
26 ~~which has a diameter which equals or exceeds 2.25 inches; or~~

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

29       ~~(22))~~ (15) "Tub spout diverter" means a device designed to stop  
30 the flow of water into a bathtub and to divert it so that the water  
31 discharges through a showerhead.

32       ~~((23))~~ (16) "Wine chillers designed and sold for use by an  
33 individual" means refrigerators designed and sold for the cooling and  
34 storage of wine by an individual.

35       (17) "Air purifier" means an electric, cord-connected, portable  
36 appliance with the primary function of removing particulate matter  
37 from the air and which can be moved from room to room.

38       (18) "Audio or video product" means a mains-connected product  
39 that offers audio amplification or optical disc player functions.

1       (19) "Commercial dishwasher" means a machine designed to clean  
2 and sanitize plates, pots, pans, glasses, cups, bowls, utensils, and  
3 trays by applying sprays of detergent solution, with or without  
4 blasting media granules, and a sanitizing rinse.

5       (20) "Commercial fryer" means an appliance, including a cooking  
6 vessel, in which oil is placed to such a depth that the cooking food  
7 is supported by displacement of the cooking fluid rather than by the  
8 bottom of the vessel. Heat is delivered to the cooking fluid by means  
9 of an immersed electric element of band-wrapped vessel (electric  
10 fryers) or by heat transfer from gas burners through either the walls  
11 of the fryer or through tubes passing through the cooking fluid (gas  
12 fryers).

13       (21) "Commercial steam cooker" means a device with one or more  
14 food-steaming compartments in which the energy in the steam is  
15 transferred to the food by direct contact. Models may include  
16 countertop models, wall-mounted models, and floor models mounted on a  
17 stand, pedestal, or cabinet-style base.

18       (22) "Compressor" means a machine or apparatus that converts  
19 different types of energy into the potential energy of gas pressure  
20 for displacement and compression of gaseous media to any higher-  
21 pressure values above atmospheric pressure and has a pressure ratio  
22 at full-load operating pressure greater than 1.3.

23       (23) "Computer" means a device that performs logical operations  
24 and processes data. "Computer" includes both stationary and portable  
25 units and includes a desktop computer, a portable all-in-one, a  
26 notebook computer, a mobile gaming system, a high expandability  
27 computer, a small-scale server, a thin client, and a workstation.  
28 "Computer" does not include a tablet, game console, television, small  
29 computer device, a server other than a small-scale server, or an  
30 industrial computer. Although a computer is capable of using input  
31 devices and displays, these devices are not required to be included  
32 with the computer when the computer is shipped. A computer is  
33 composed of, at a minimum:

34       (a) A central processing unit to perform operations or, if no  
35 central processing unit is present, then the device must function as  
36 a client gateway to a server and the server acts as the computational  
37 central processing unit;

38       (b) The ability to support user input devices such as a keyboard,  
39 mouse, or touchpad; and

1 (c) An integrated display screen or the ability to support an  
2 external display screen to output information.

3 (24) "Computer monitor" means an analog or digital device of  
4 diagonal screen size greater than or equal to seventeen inches and  
5 less than or equal to sixty-one inches, that has a pixel density of  
6 greater than five thousand pixels per square inch, and that is  
7 designed primarily for the display of computer generated signals for  
8 viewing by one person in a desk-based environment. A computer monitor  
9 is composed of a display screen and associated electronics. A  
10 computer monitor does not include:

11 (a) Displays with integrated or replaceable batteries designed to  
12 support primary operation without AC mains or external DC power, such  
13 as electronic readers, mobile phones, tablets, or battery-powered  
14 digital picture frames; or

15 (b) A television or a signage display.

16 (25) "Faucet" means a lavatory faucet, kitchen faucet, metering  
17 faucet, or replacement aerator for a lavatory or kitchen faucet.

18 (26) "General service lamp" has the same meaning as set forth in  
19 the action published at 82 Fed. Reg. 7276, 7321-22 (January 19, 2017)  
20 and modified by the action published at 82 Fed. Reg. 7322, 7333  
21 (January 19, 2017).

22 (27) "High color rendering index fluorescent lamp" or "high CRI  
23 fluorescent lamp" means a fluorescent lamp with a color rendering  
24 index of eighty-seven or greater that is not a compact fluorescent  
25 lamp.

26 (28) "Portable air conditioner" means a portable encased  
27 assembly, other than a packaged terminal air conditioner, room air  
28 conditioner, or dehumidifier, that delivers cooled, conditioned air  
29 to an enclosed space, and is powered by single-phase electric  
30 current. It includes a source of refrigeration and may include  
31 additional means for air circulation and heating and may be a single-  
32 duct or a dual-duct portable air conditioner.

33 (29) "Residential ventilating fan" means a ceiling, wall-mounted,  
34 or remotely mounted in-line fan designed to be used in a bathroom or  
35 utility room, or a kitchen range hood, whose purpose is to move  
36 objectionable air from inside the building to the outdoors.

37 (30) "Signage display" means an analog or digital device designed  
38 primarily for the display for computer-generated signals that is not  
39 marketed for us as a computer monitor or a television.

1       (31) "Spray sprinkler body" means the exterior case or shell of a  
2 sprinkler incorporating a means of connection to the piping system  
3 designed to convey water to a nozzle or orifice.

4       (32) "Telephone" means an electronic product whose primary  
5 purpose is to transmit and receive sound over a distance using a  
6 voice or data network.

7       (33) "Television" or "TV" means an analog or digital device  
8 designed primarily for the display and reception of a terrestrial,  
9 satellite, cable, internet protocol TV, or other broadcast or  
10 recorded transmission of analog or digital video and audio signals.  
11 "Television" includes combination TVs, television monitors, component  
12 TVs, and any unit that is marketed to a consumer as a TV.  
13 "Television" does not include computer monitors.

14       (34) "Uninterruptible power supply" means a battery charger  
15 consisting of a number of convertors, switches, and energy storage  
16 devices such as batteries, constituting a power system for  
17 maintaining continuity of load power in case of input power failure.

18       (35) "Urinal" means a plumbing fixture that receives only liquid  
19 body waste and, on demand, conveys the waste through a trap seal into  
20 a gravity drainage system.

21       (36) "Water closet" means a plumbing fixture having a water-  
22 containing receptor that receives liquid and solid body waste through  
23 an exposed integral trap into a gravity drainage system.

24       (37) "Water cooler" means a freestanding device that consumes  
25 energy to cool or heat potable water, including cold only units, hot  
26 and cold units, cook and cold units, storage-type units, and on-  
27 demand units.

28       **Sec. 3.** RCW 19.260.030 and 2009 c 501 s 2 are each amended to  
29 read as follows:

30       (1) This chapter applies to the following types of new products  
31 sold, offered for sale, or installed in the state:

- 32       ~~(a) Automatic commercial ice cube machines;~~  
33       ~~(b) Commercial refrigerators and freezers;~~  
34       ~~(c) State-regulated incandescent reflector lamps;~~  
35       ~~(d))~~ Wine chillers designed and sold for use by an individual;  
36       ~~((e))~~ (b) Hot water dispensers and mini-tank electric water  
37 heaters;  
38       ~~((f))~~ (c) Bottle-type water dispensers and point-of-use water  
39 dispensers;

1        ~~((g) Pool heaters,~~) (d) Residential pool pumps ~~((τ))~~ and  
2 portable electric spas;  
3        ~~((h))~~ (e) Tub spout diverters; ~~((and~~  
4 ~~(i))~~) (f) Commercial hot food holding cabinets;  
5 (g) Air purifiers;  
6 (h) Commercial fryers, commercial dishwashers, and commercial  
7 steam cookers;  
8 (i) Compressors;  
9 (j) Computers and computer monitors;  
10 (k) Faucets;  
11 (l) High CRI fluorescent lamps;  
12 (m) Portable air conditioners and residential ventilating fans;  
13 (n) Showerheads;  
14 (o) Signage displays;  
15 (p) Spray sprinkler bodies;  
16 (q) Telephones;  
17 (r) Televisions;  
18 (s) Uninterruptible power supplies;  
19 (t) Urinals and water closets;  
20 (u) Water coolers;  
21 (v) Audio or video products; and  
22 (w) General service lamps.

23        (2) This chapter applies equally to products whether they are  
24 sold, offered for sale, or installed as stand-alone products or as  
25 components of other products.

26        (3) This chapter does not apply to:

27        (a) New products manufactured in the state and sold outside the  
28 state;

29        (b) New products manufactured outside the state and sold at  
30 wholesale inside the state for final retail sale and installation  
31 outside the state;

32        (c) Products installed in mobile manufactured homes at the time  
33 of construction; or

34        (d) Products designed expressly for installation and use in  
35 recreational vehicles.

36        **Sec. 4.** RCW 19.260.040 and 2009 c 501 s 3 are each amended to  
37 read as follows:

38        The minimum efficiency standards specified in this section apply  
39 to the types of new products set forth in RCW 19.260.030.

1           (1) ~~((a) Automatic commercial ice cube machines must have daily~~  
 2 ~~energy use and daily water use no greater than the applicable values~~  
 3 ~~in the following table:~~

4			Maximum	Maximum condenser	
5	Equipment type	Type of cooling	energy use	water use	
6			(kWh/100 lbs.)	(gallons/100 lbs. ice)	
7	Ice-making head	water	<500	7.80-.0055H	200-.022H
8			≥500<1436	5.58-.0011H	200-.022H
9			≥1436	4.0	200-.022H
10	Ice-making head	air	450	10.26-.0086H	Not applicable
11			≥450	6.89-.0011H	Not applicable
12	Remote condensing but not remote compressor	air	<1000	8.85-.0038	Not applicable
14			≥1000	5.10	Not applicable
15	Remote condensing and remote compressor	air	<934	8.85-.0038H	Not applicable
17			≥934	5.3	Not applicable
18	Self-contained models	water	<200	11.40-.0190H	191-.0315H
19			≥200	7.60	191-.0315H
20	Self-contained models	air	<175	18.0-.0469H	Not applicable
21			≥175	9.80	Not applicable

22   Where H= harvest rate in pounds per twenty-four hours which must be reported within 5% of the tested value. "Maximum  
 23   water use" applies only to water used for the condenser.

24           ~~(b) For purposes of this section, automatic commercial ice cube~~  
 25 ~~machines shall be tested in accordance with the ARI 810-2003 test~~  
 26 ~~method as published by the air conditioning and refrigeration~~  
 27 ~~institute. Ice-making heads include all automatic commercial ice cube~~  
 28 ~~machines that are not split system ice makers or self-contained~~  
 29 ~~models as defined in ARI 810-2003.~~

30           (2)(a) ~~Commercial refrigerators and freezers must meet the~~  
 31 ~~applicable requirements listed in the following table:~~

32	Equipment Type	Doors	Maximum Daily Energy Consumption (kWh)
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1	Reach-in cabinets, pass-through cabinets, and roll-in or roll-through cabinets that are refrigerators	Solid	$0.10V + 2.04$
2		Transparent	$0.12V + 3.34$
3	Reach-in cabinets, pass-through cabinets, and roll-in or roll-through cabinets that are "pulldown" refrigerators	Transparent	$.126V + 3.51$
4		Solid	$0.40V + 1.38$
5	Reach-in cabinets, pass-through cabinets, and roll-in or roll-through cabinets that are freezers	Transparent	$0.75V + 4.10$
6		Solid	$0.27AV - 0.71$
7	Reach-in cabinets that are refrigerator-freezers with an AV of 5.19 or higher	Solid	$0.27AV - 0.71$

12 kWh= kilowatt-hours

13 V= total volume (ft<sup>3</sup>)

14 AV= adjusted volume= [1.63 x freezer volume (ft<sup>3</sup>)] + refrigerator volume (ft<sup>3</sup>)

15 ~~(b) For purposes of this section, "pulldown" designates products~~  
 16 ~~designed to take a fully stocked refrigerator with beverages at 90~~  
 17 ~~degrees Fahrenheit and cool those beverages to a stable temperature~~  
 18 ~~of 38 degrees Fahrenheit within 12 hours or less. Daily energy~~  
 19 ~~consumption shall be measured in accordance with the American~~  
 20 ~~national standards institute/American society of heating,~~  
 21 ~~refrigerating and air conditioning engineers test method 117-2002,~~  
 22 ~~except that the back loading doors of pass through and roll through~~  
 23 ~~refrigerators and freezers must remain closed throughout the test,~~  
 24 ~~and except that the controls of all appliances must be adjusted to~~  
 25 ~~obtain the following product temperatures.~~

26	Product or compartment type	Integrated average product temperature in degrees Fahrenheit
27	Refrigerator	$38 \pm 2$
28	Freezer	$0 \pm 2$

29 ~~(3)(a) The lamp electrical power input of state regulated~~  
 30 ~~incandescent reflector lamps shall meet the minimum average lamp~~  
 31 ~~efficacy requirements for federally regulated incandescent reflector~~  
 32 ~~lamps specified in 42 U.S.C. Sec. 6295(i)(1)(A) (B).~~

33 ~~(b) The following types of incandescent lamps are exempt from~~  
 34 ~~these requirements:~~

1       ~~(i) Lamps rated at fifty watts or less of the following types: BR~~  
2 ~~30, ER 30, BR 40, and ER 40;~~  
3       ~~(ii) Lamps rated at sixty five watts of the following types: BR~~  
4 ~~30, BR 40, and ER 40; and~~  
5       ~~(iii) R 20 lamps of forty five watts or less.~~  
6       ~~(4))~~(a) Wine chillers designed and sold for use by an individual  
7 must meet requirements specified in the California Code of  
8 Regulations, Title 20, section 1605.3 in effect as of July 26, 2009.  
9       (b) Wine chillers designed and sold for use by an individual  
10 shall be tested in accordance with the method specified in the  
11 California Code of Regulations, Title 20, section 1604 in effect as  
12 of July 26, 2009.  
13       ~~((5))~~ (2)(a) The standby energy consumption of bottle-type  
14 water dispensers, and point-of-use water dispensers, dispensing both  
15 hot and cold water, manufactured on or after January 1, 2010, shall  
16 not exceed 1.2 kWh/day.  
17       (b) The test method for water dispensers shall be the  
18 environmental protection agency energy star program requirements for  
19 bottled water coolers version 1.1.  
20       ~~((6))~~ (3)(a) The standby energy consumption of hot water  
21 dispensers and mini-tank electric water heaters manufactured on or  
22 after January 1, 2010, shall be not greater than 35 watts.  
23       (b) This subsection does not apply to any water heater:  
24       (i) That is within the scope of 42 U.S.C. Sec. 6292(a)(4) or  
25 6311(1);  
26       (ii) That has a rated storage volume of less than 20 gallons; and  
27       (iii) For which there is no federal test method applicable to  
28 that type of water heater.  
29       (c) Hot water dispensers shall be tested in accordance with the  
30 method specified in the California Code of Regulations, Title 20,  
31 section 1604 in effect as of July 26, 2009.  
32       (d) Mini-tank electric water heaters shall be tested in  
33 accordance with the method specified in the California Code of  
34 Regulations, Title 20, section 1604 in effect as of July 26, 2009.  
35       ~~((7))~~ (4) The following standards are established for ~~((pool~~  
36 ~~heaters,))~~ residential pool pumps~~((,))~~ and portable electric spas:  
37       (a) ~~((Natural gas pool heaters shall not be equipped with~~  
38 ~~constant burning pilots.~~  
39       ~~(b))~~ Residential pool pump motors manufactured on or after  
40 January 1, 2010, must meet requirements specified in the California

1 Code of Regulations, Title 20, section 1605.3 in effect as of July  
2 26, 2009.

3 ~~((e))~~ (b) Through December 31, 2019, portable electric spas  
4 manufactured on or after January 1, 2010, must meet requirements  
5 specified in the California Code of Regulations, Title 20, section  
6 1605.3 in effect as of July 26, 2009. Beginning January 1, 2020,  
7 portable electric spas must meet the requirements of the American  
8 national standard for portable electric spa energy efficiency (ANSI/  
9 APSP/ICC-14 2014).

10 ~~((d))~~ (c) Through December 31, 2019, portable electric spas  
11 must be tested in accordance with the method specified in the  
12 California Code of Regulations, Title 20, section 1604 in effect as  
13 of July 26, 2009. Beginning January 1, 2020, portable electric spas  
14 must be tested in accordance with the method specified in the  
15 American national standard for portable electric spa energy  
16 efficiency (ANSI/APSP/ICC-14 2014).

17 ~~((8))~~ (5)(a) The leakage rate of tub spout diverters shall be  
18 no greater than the applicable requirements shown in the following  
19 table:

Appliance	Testing Conditions	Maximum Leakage Rate
		Effective January 1, 2009
	When new	0.01 gpm
Tub spout diverters	After 15,000 cycles of diverting	0.05 gpm

24 (b) Showerhead tub spout diverter combinations shall meet both  
25 the ~~((federal standard for showerheads established pursuant to 42~~  
26 ~~U.S.C. Sec. 6291 et seq.))~~ standard for showerheads specified in this  
27 section and the standard for tub spout diverters specified in this  
28 section.

29 ~~((9))~~ (6)(a) The idle energy rate of commercial hot food  
30 holding cabinets manufactured on or after January 1, 2010, shall be  
31 no greater than 40 watts per cubic foot of measured interior volume.

32 (b) The idle energy rate of commercial hot food holding cabinets  
33 shall be determined using ANSI/ASTM ~~((F2140-01))~~ F2140-11 standard  
34 test method for the performance of hot food holding cabinets (test  
35 for idle energy rate dry test). Commercial hot food holding cabinet  
36 interior volume shall be calculated using straight line segments  
37 following the gross interior dimensions of the appliance and using  
38 the following equation: Interior height x interior width x interior

1 depth. Interior volume shall not account for racks, air plenums, or  
2 other interior parts.

3 (7) Air purifiers, except industrial air purifiers, must meet the  
4 following requirements as measured in accordance with the  
5 environmental protection agency energy star program product  
6 specification for room air cleaners, version 1.2:

7 (a) Clean air delivery rate for dust must be 50 or greater;

8 (b) Clean air delivery rate per watt for dust must be equal to or  
9 greater than 2.0;

10 (c) For ozone-emitting models, measured ozone must be less than  
11 or equal to 50 parts per billion; and

12 (d) Standby power may not exceed two watts.

13 (8) Commercial dishwashers included in the scope of the  
14 environmental protection agency energy star program product  
15 specification for commercial dishwashers, version 2.0, must meet the  
16 qualification criteria of that specification.

17 (9) Commercial fryers included in the scope of the environmental  
18 protection agency energy star program product specification for  
19 commercial fryers, version 2.0, must meet the qualification criteria  
20 for that specification.

21 (10) Commercial steam cookers must meet the requirements of the  
22 environmental protection agency energy star program product  
23 specification for commercial steam cookers, version 1.2.

24 (11) Computers and computer monitors must meet the requirements  
25 in the California Code of Regulations, Title 20, section 1605.3 in  
26 effect as of January 1, 2018, as measured in accordance with the test  
27 methods prescribed in the California Code of Regulations, Title 20,  
28 section 1604 in effect as of January 1, 2018.

29 (12) Compressors that meet the criteria listed in 10 C.F.R. Sec.  
30 431.344 must meet the requirements in 10 C.F.R. Sec. 431.343 in  
31 effect as of July 3, 2017, as measured in accordance with the test  
32 methods prescribed in 10 C.F.R. Sec. 431.344 (appendix A to subpart T  
33 of part 431).

34 (13) Faucets, except for metering faucets, and showerheads must  
35 meet the following standards when measured in accordance with the  
36 test methods prescribed in 10 C.F.R. Sec. 430.23 (appendix S to  
37 subpart B of part 430) in effect as of January 3, 2017:

38 (a) Lavatory faucets and replacement aerators may not exceed a  
39 maximum flow rate of 1.2 gallons per minute at 60 pounds per square  
40 inch;

1 (b) Kitchen faucets and replacement aerators may not exceed a  
2 maximum flow rate of 1.8 gallons per minute at 60 pounds per square  
3 inch, with optional temporary flow of 2.2 gallons per minute,  
4 provided the kitchen faucets and replacement aerators default to a  
5 maximum flow rate of 1.8 gallons per minute at 60 pounds per square  
6 inch after each use;

7 (c) Public lavatory faucets and replacement aerators may not  
8 exceed a maximum flow rate of 0.5 gallons per minute at 60 pounds per  
9 square inch; and

10 (d) Showerheads may not exceed a maximum flow rate of 1.8 gallons  
11 per minute at 80 pounds per square inch.

12 (14) High CRI fluorescent lamps must meet the requirements in 10  
13 C.F.R. Sec. 430.32 in effect as of January 3, 2017, as measured in  
14 accordance with the test methods prescribed in 10 C.F.R. Sec. 430.23  
15 (appendix R to subpart B of part 430) in effect as of January 3,  
16 2017.

17 (15) Portable air conditioners must have a combined energy  
18 efficiency ratio, as measured in accordance with the test methods  
19 prescribed in 10 C.F.R. Sec. 430.23 (appendix CC to subpart B of part  
20 430) in effect as of January 3, 2017, that is greater than or equal  
21 to:

$$1.04 \times \frac{SACC}{(3.7117 \times SACC^{0.6384})}$$

22 where "SACC" is seasonally adjusted cooling capacity in Btu/h.

23  
24 (16) Residential ventilating fans must meet the qualification  
25 criteria of the environmental protection agency energy star program  
26 product specification for residential ventilating fans, version 3.2.

27 (17) Signage displays must meet the requirements in the  
28 California Code of Regulations, Title 20, section 1605.3 in effect as  
29 of January 1, 2018, as measured in accordance with the test methods  
30 prescribed in the California Code of Regulations, Title 20, section  
31 1604 in effect as of January 1, 2018.

32 (18) Spray sprinkler bodies that are not specifically excluded  
33 from the scope of the environmental protection agency water sense  
34 program product specification for spray sprinkler bodies, version  
35 1.0, must include an integral pressure regulator and must meet the  
36 water efficiency and performance criteria and other requirements of  
37 that specification.  
38

1 (19) Telephones included in the scope of the environmental  
2 protection agency energy star program product specification for  
3 telephony, version 3.0, must meet the certification criteria of that  
4 specification, except that the performance requirements for external  
5 power supplies in section 3.2.2 of the specification does not apply.

6 (20) Televisions must meet the requirements in the California  
7 Code of Regulations, Title 20, section 1605.3 in effect as of January  
8 1, 2018, as measured in accordance with the test methods prescribed  
9 in the California Code of Regulations, Title 20, section 1604 in  
10 effect as of January 1, 2018.

11 (21) Urinals and water closets must meet the requirements in the  
12 California Code of Regulations, Title 20, section 1605.3 in effect as  
13 of January 1, 2018, as measured in accordance with the test methods  
14 prescribed in the California Code of Regulations, Title 20, section  
15 1604 in effect as of January 1, 2018.

16 (22) Uninterruptible power supplies that utilize a NEMA 1-15P or  
17 5-15P input plug and have an AC output must have an average load  
18 adjusted efficiency that meets or exceeds the values shown on page  
19 193 of the prepublication final rule "Energy Conservation Program:  
20 Energy Conservation Standards for Uninterruptible Power Supplies"  
21 issued by the United States department of energy on December 28,  
22 2016, as measured in accordance with test procedures prescribed in  
23 Appendix Y to Subpart B of Part 430 of Title 10 of the Code of  
24 Federal Regulations "Uniform Test Method for Measuring the Energy  
25 Consumption of Battery Chargers" in effect as of January 11, 2017.

26 (23) Water coolers included in the scope of the environmental  
27 protection agency energy star program product specification for water  
28 coolers, version 2.0, must have an on mode with no water draw energy  
29 consumption less than or equal to the following values as measured in  
30 accordance with the test requirements of that program:

31 (a) 0.16 kilowatt-hours per day for cold-only units and cook and  
32 cold units;

33 (b) 0.87 kilowatt-hours per day for storage type hot and cold  
34 units; and

35 (c) 0.18 kilowatt-hours per day for on demand hot and cold units.

36 (24) Audio or video products included in the scope of the  
37 environmental protection agency energy star program product  
38 specification for audio or video, version 3.0, as revised December  
39 2014, must meet the qualification criteria of that specification,

1 except that the performance requirements for external power supplies  
2 in section 3.2.1 of the specification do not apply.

3 (25) General service lamps must meet or exceed a lamp efficacy of  
4 45 lumens per watt, when tested in accordance with the applicable  
5 federal test procedures for general service lamps prescribed in 10  
6 C.F.R. Sec. 430.23 in effect as of January 3, 2017.

7 **Sec. 5.** RCW 19.260.050 and 2009 c 501 s 4 are each amended to  
8 read as follows:

9 (1) No new ~~((commercial refrigerator or freezer or))~~ state-  
10 regulated incandescent reflector lamp manufactured on or after  
11 January 1, 2007, may be sold or offered for sale in the state unless  
12 the efficiency of the new product meets or exceeds the efficiency  
13 standards set forth in RCW 19.260.040. ~~((No new automatic commercial~~  
14 ~~ice cube machine manufactured on or after January 1, 2008, may be~~  
15 ~~sold or offered for sale in the state unless the efficiency of the~~  
16 ~~new product meets or exceeds the efficiency standards set forth in~~  
17 ~~RCW 19.260.040.))~~

18 (2) ~~((On or after January 1, 2008, no new commercial refrigerator~~  
19 ~~or freezer or state-regulated incandescent reflector lamp~~  
20 ~~manufactured on or after January 1, 2007, may be installed for~~  
21 ~~compensation in the state unless the efficiency of the new product~~  
22 ~~meets or exceeds the efficiency standards set forth in RCW~~  
23 ~~19.260.040. On or after January 1, 2009, no new automatic commercial~~  
24 ~~ice cube machine manufactured on or after January 1, 2008, may be~~  
25 ~~installed for compensation in the state unless the efficiency of the~~  
26 ~~new product meets or exceeds the efficiency standards set forth in~~  
27 ~~RCW 19.260.040.~~

28 ~~(3))~~ Standards for state-regulated incandescent reflector lamps  
29 are effective on the date~~((s))~~ specified in subsection~~((s))~~ (1) ~~((and~~  
30 ~~(2))~~ of this section.

31 ~~((4))~~ (3) The following products, if manufactured on or after  
32 January 1, 2010, may not be sold or offered in the state unless the  
33 efficiency of the new product meets or exceeds the efficiency  
34 standards set forth in RCW 19.260.040:

- 35 (a) Wine chillers designed and sold for use by an individual;  
36 (b) Hot water dispensers and mini-tank electric water heaters;  
37 (c) Bottle-type water dispensers and point-of-use water  
38 dispensers;

1 (d) (~~Pool heaters,~~) Residential pool pumps(~~(7)~~) and portable  
2 electric spas;

3 (e) Tub spout diverters; and

4 (f) Commercial hot food holding cabinets.

5 (~~(5)~~) (4) The following products, if manufactured on or after  
6 January 1, 2010, may not be installed for compensation in the state  
7 on or after January 1, 2011, unless the efficiency of the new product  
8 meets or exceeds the efficiency standards set forth in RCW  
9 19.260.040:

10 (a) Wine chillers designed and sold for use by an individual;

11 (b) Hot water dispensers and mini-tank electric water heaters;

12 (c) Bottle-type water dispensers and point-of-use water  
13 dispensers;

14 (d) (~~Pool heaters,~~) Residential pool pumps(~~(7)~~) and portable  
15 electric spas;

16 (e) Tub spout diverters; and

17 (f) Commercial hot food holding cabinets.

18 (5) The following products, if manufactured on or after January  
19 1, 2020, may not be sold or offered for sale, lease, or rent in the  
20 state unless the efficiency of the new product meets or exceeds the  
21 efficiency standards set forth in RCW 19.260.040:

22 (a) Air purifiers;

23 (b) Commercial dishwashers;

24 (c) Commercial fryers;

25 (d) Commercial steam cookers;

26 (e) Compressors;

27 (f) Computers or computer monitors;

28 (g) Faucets;

29 (h) High CRI fluorescent lamps;

30 (i) Portable air conditioners;

31 (j) Residential ventilating fans;

32 (k) Signage displays;

33 (l) Spray sprinkler bodies;

34 (m) Showerheads;

35 (n) Telephones;

36 (o) Televisions;

37 (p) Uninterruptible power supplies;

38 (q) Urinals and water closets;

39 (r) Water coolers;

40 (s) Audio or video products; and

1 (t) General service lamps.

2 (6) Standards for the following products expire January 1, 2020:

3 (a) Hot water dispensers; and

4 (b) Bottle-type water dispensers and point-of-use water  
5 dispensers.

6 **Sec. 6.** RCW 19.260.060 and 2005 c 298 s 6 are each amended to  
7 read as follows:

8 (1) The department may adopt rules that incorporate by reference  
9 only federal efficiency standards for federally covered products as  
10 the standards existed on January 3, 2017. The department must  
11 regularly submit a report to the appropriate committees of the  
12 legislature on federal standards that preempt the state standards set  
13 forth in RCW 19.260.040. Any report on federal preemption must be  
14 transmitted at least thirty days before the start of any regular  
15 legislative session.

16 (2) The department may recommend updates to the energy efficiency  
17 standards and test methods for products listed in RCW 19.260.030. The  
18 department may also recommend establishing state standards for  
19 additional nonfederally covered products. In making its  
20 recommendations, the department shall use the following criteria:

21 ~~((1))~~ (a) Multiple manufacturers produce products that meet the  
22 proposed standard at the time of recommendation(~~(, (2))~~); (b)  
23 products meeting the proposed standard are available at the time of  
24 recommendation(~~(, (3))~~); (c) the products are cost-effective to  
25 consumers on a life-cycle cost basis using average Washington  
26 resource rates(~~(, (4))~~); (d) the utility of the energy efficient  
27 product meets or exceeds the utility of the comparable product  
28 available for purchase(~~(, (5))~~); and ((5)) (e) the standard exists in  
29 at least two other states in the United States. For recommendations  
30 concerning commercial clothes washers, the department must also  
31 consider the fiscal effects on the low-income, elderly, and student  
32 populations. Any recommendations shall be transmitted to the  
33 appropriate committees of the legislature sixty days before the start  
34 of any regular legislative session.

35 **Sec. 7.** RCW 19.260.070 and 2005 c 298 s 7 are each amended to  
36 read as follows:

1 (1) The manufacturers of products covered by this chapter must  
2 test samples of their products in accordance with the test procedures  
3 under this chapter or those specified in the state building code.

4 (2) Manufacturers of new products covered by RCW 19.260.030(~~(7~~  
5 ~~except for single voltage external AC to DC power supplies,~~) shall  
6 certify to the department that the products are in compliance with  
7 this chapter. This certification must be based on test results unless  
8 this chapter does not specify a test method. The department shall  
9 establish rules governing the certification of these products and may  
10 coordinate with the certification programs of other states and  
11 federal agencies with similar standards.

12 (3) Manufacturers of new products covered by RCW 19.260.030 shall  
13 identify each product offered for sale or installation in the state  
14 as in compliance with this chapter by means of a mark, label, or tag  
15 on the product and packaging at the time of sale or installation. The  
16 department shall establish rules governing the identification of  
17 these products and packaging, which shall be coordinated to the  
18 greatest practical extent with the labeling programs of other states  
19 and federal agencies with equivalent efficiency standards.

20 (4) The department may test products covered by RCW 19.260.030.  
21 If products so tested are found not to be in compliance with the  
22 minimum efficiency standards established under RCW 19.260.040, the  
23 department shall: (a) Charge the manufacturer of the product for the  
24 cost of product purchase and testing; and (b) make information  
25 available to the public on products found not to be in compliance  
26 with the standards.

27 (5) The department shall obtain in paper form the test methods  
28 specified in RCW 19.260.040, which shall be available for public use  
29 at the department's energy policy offices.

30 (6) The department shall investigate complaints received  
31 concerning violations of this chapter. Any manufacturer or  
32 distributor who violates this chapter shall be issued a warning by  
33 the director of the department for any first violation. Repeat  
34 violations are subject to a civil penalty of not more than two  
35 hundred fifty dollars a day. Penalties assessed under this subsection  
36 are in addition to costs assessed under subsection (4) of this  
37 section.

38 (7) The department may adopt rules as necessary to ensure the  
39 proper implementation and enforcement of this chapter.

1 (8) The proceedings relating to this chapter are governed by the  
2 administrative procedure act, chapter 34.05 RCW.

3 NEW SECTION. **Sec. 8.** RCW 19.27.170 (Water conservation  
4 performance standards—Testing and identifying fixtures that meet  
5 standards—Marking and labeling fixtures) and 1991 c 347 s 16 & 1989 c  
6 348 s 8 are each repealed.

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