

FINAL BILL REPORT

ESHB 1062

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Synopsis as Enacted

Brief Description: Regulating the energy efficiency of certain products.

Sponsors: By House Committee on Technology, Energy & Communications (originally sponsored by Representatives Morris, Hudgins and Chase; by request of Governor Locke).

House Committee on Technology, Energy & Communications
Senate Committee on Water, Energy & Environment

Background:

Two federal laws, and their accompanying regulations, govern energy efficiency standards for certain electrical products. The National Appliance Energy Conservation Act of 1987 specifies efficiency standards, testing procedures, and labeling requirements for certain residential appliances such as dishwashers, room air conditioners, and fluorescent-lamp ballasts. The Energy Policy Act of 1992 specifies similar requirements for certain types of industrial equipment such as electric motors, commercial water heaters, and commercial furnaces.

Washington has not adopted state efficiency standards for products not covered by federal law.

Summary:

Efficiency Standards

Minimum efficiency standards and testing procedures are established for 12 electrical products that are not covered by federal law. The efficiency standards apply to products sold, offered for sale, or installed in the state. The standards do not apply to: (1) products installed in mobile manufactured homes at the time of construction; and (2) products designed expressly for installation and use in recreational vehicles. The 12 electrical products are:

- *automatic commercial ice cube machines*, such as those found in motels and restaurants;
- *commercial clothes washers*, such as those found in apartments and coin laundries;
- *commercial pre-rinse spray valves*, such as those used in restaurants to remove food residue from plates prior to their cleaning;
- *commercial refrigerators and freezers*, such as those used in large institutional kitchens;
- *illuminated exit signs*, such as those used in public buildings to mark exit doors;
- *low-voltage dry-type distribution transformers*, which are devices that reduce electrical voltage and are often found in electrical closets of office buildings;
- *metal halide lamp fixtures*, such as those found on the high ceilings of industrial buildings and gymnasiums;

- *single-voltage external AC to DC power supplies*, such as the small boxes attached to power cords that allow battery-operated appliances to use power from electrical outlets;
- *incandescent reflector lamps*, such as the light bulbs that are typically used in "recessed can" lights;
- *torchieres*, which are portable lamps used to provide indirect lighting;
- *traffic signal modules*, which are used in street and highway traffic signals; and
- *commercial space heaters* that use natural gas or propane.

Tests and Inspections

With certain exceptions, all manufacturers of covered products must test their products using specified tests and certify to the Department of Community, Trade, and Economic Development (CTED) that the products comply with the standards. The CTED must obtain the test methods in paper form and make them available for public use. The CTED must also establish rules governing certification.

Manufacturers of covered products must identify their products as in compliance. The CTED must establish rules governing identification.

The CTED is authorized to test covered products. If a product fails its test, the CTED must inform the public of the test results and charge the manufacturer for the cost of purchasing and testing the product.

The CTED must investigate alleged violations of the standards. A manufacturer or distributor that repeatedly violates the standards is subject to a civil penalty of not more than \$250 per day.

Statutory Updates

The CTED may recommend updates to the energy efficiency standards and test methods for the covered products. The CTED may also recommend establishing state standards for additional nonfederally covered products. Any recommendations must be transmitted to the appropriate committees of the Legislature 60 days before the start of any regular legislative session.

In making recommendations, the CTED must use the following criteria:

- multiple manufacturers produce products that meet the proposed standard at the time of recommendation;
- products meeting the proposed standard are available at the time of recommendation;
- products are cost-effective to consumers on a life-cycle cost basis using average Washington resource rates;
- the utility of the energy efficient product meets or exceeds the utility of the comparable product available for purchase; and
- the standard exists in at least two other states in the United States.

For commercial clothes washers, the CTED must consider the fiscal effects on the low-income, elderly, and student populations.

Application Dates for Selling Covered Products

New products, except commercial ice-makers and metal halide lamp fixtures, may not be sold on or after January 1, 2007, if they do not meet or exceed the specified standards. The effective date for new ice-makers and halide lamps, the date is January 1, 2008.

Application Dates for Installing Covered Products

New products, except commercial ice-makers and metal halide lamp fixtures, may not be installed for compensation on or after January 1, 2008, if they do not meet or exceed the specified standards. For new ice-makers and halide lamps, the date is January 1, 2009.

Votes on Final Passage:

House	80	18	
Senate	34	15	(Senate amended)
House	85	13	(House concurred)

Effective: July 24, 2005