

**RCW 19.260.080 Electric storage water heaters.** (1) An electric storage water heater, if manufactured on or after January 1, 2021, may not be installed, sold, or offered for sale, lease, or rent in the state unless it complies with the following design requirement:

(a) The product must have a modular demand response communications port compliant with: (i) The March 2018 version of the ANSI/CTA-2045-A communication interface standard, or equivalent and (ii) the March 2018 version of the ANSI/CTA-2045-A application layer requirements.

(b) The interface standard and application layer requirements required in this subsection are the versions established in March 2018, unless the department adopts by rule a later version.

(2) The department may by rule establish a later effective date or suspend enforcement of the requirements of subsection (1) of this section if the department determines that such a delay or suspension is in the public interest.

(3) Private customer information, and proprietary customer information, collected, stored, conveyed, transmitted, or retrieved by an electric storage water heater equipped with a modular demand response communications port required under this section or rules adopted under this chapter is subject to the provisions of RCW 19.29A.100 and 19.29A.110.

(4) An electric utility supplying electricity to a building in which an electric storage water heater that meets the design requirements established in this section has been installed may not, without first having obtained in writing the customer's affirmative consent to participating in a program that allows such alteration, alter, or require the utility customer to alter, the usage of electricity or water relating to the electric storage water heater on the basis of information collected by the electric storage water heater or any associated device. [2019 c 286 § 5.]