

SHB 2416 - S AMD 359

By Senator Rockefeller

1       Strike everything after the enacting clause and insert the  
2 following:

3       "**Sec. 1.** RCW 19.260.020 and 2009 c 565 s 18 and 2009 c 501 s 1 are  
4 each reenacted and amended to read as follows:

5       The definitions in this section apply throughout this chapter  
6 unless the context clearly requires otherwise.

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

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

14       (3) "Commercial hot food holding cabinet" means a heated, fully  
15 enclosed compartment, with one or more solid or partial glass doors,  
16 that is designed to maintain the temperature of hot food that has been  
17 cooked in a separate appliance. "Commercial hot food holding cabinet"  
18 does not include heated glass merchandising cabinets, drawer warmers,  
19 or cook and hold appliances.

20       (4)(a) "Commercial refrigerators and freezers" means refrigerators,  
21 freezers, or refrigerator-freezers designed for use by commercial or  
22 institutional facilities for the purpose of storing or merchandising  
23 food products, beverages, or ice at specified temperatures that: (i)  
24 Incorporate most components involved in the vapor-compression cycle and  
25 the refrigerated compartment in a single cabinet; and (ii) may be  
26 configured with either solid or transparent doors as a reach-in  
27 cabinet, pass-through cabinet, roll-in cabinet, or roll-through  
28 cabinet.

29       (b) "Commercial refrigerators and freezers" does not include: (i)  
30 Products with 85 cubic feet or more of internal volume; (ii) walk-in

1 refrigerators or freezers; (iii) consumer products that are federally  
2 regulated pursuant to 42 U.S.C. Sec. 6291 et seq.; (iv) products  
3 without doors; or (v) freezers specifically designed for ice cream.

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

7 (6) "Cook and hold appliance" means a multiple mode appliance  
8 intended for cooking food that may be used to hold the temperature of  
9 the food that has been cooked in the same appliance.

10 (7) "Department" means the department of commerce.

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

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

19 (10) "Hot water dispenser" means a small electric water heater that  
20 has a measured storage volume of no greater than one gallon.

21 (11) "Mini-tank electric water heater" means a small electric water  
22 heater that has a measured storage volume of more than one gallon and  
23 a rated storage volume of less than twenty gallons.

24 (12) "Pass-through cabinet" means a commercial refrigerator or  
25 freezer with hinged or sliding doors on both the front and rear of the  
26 unit.

27 (13) "Point-of-use water dispenser" means a water dispenser that  
28 uses a pressurized water utility connection as the source of potable  
29 water.

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

33 (15) "Portable electric spa" means a factory-built electric spa or  
34 hot tub, supplied with equipment for heating and circulating water.

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

1 (17) "Residential pool pump" means a pump used to circulate and  
2 filter pool water in order to maintain clarity and sanitation.

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

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

9 (19) "Showerhead" means a device through which water is discharged  
10 for a shower bath.

11 (20) "Showerhead tub spout diverter combination" means a group of  
12 plumbing fittings sold as a matched set and consisting of a control  
13 valve, a tub spout diverter, and a showerhead.

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

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

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

24 (22) "Tub spout diverter" means a device designed to stop the flow  
25 of water into a bathtub and to divert it so that the water discharges  
26 through a showerhead.

27 (23) "Wine chillers designed and sold for use by an individual"  
28 means refrigerators designed and sold for the cooling and storage of  
29 wine by an individual.

30 (24) "Class A external power supply" means an external power supply  
31 circuit that is used to convert household electric current into DC  
32 current or lower voltage AC current to operate a consumer product and  
33 that:

34 (a) Is designed to convert line voltage AC input into lower voltage  
35 AC or DC output;

36 (b) Is able to convert to only one AC or DC output voltage at a  
37 time;

1 (c) Is sold with, or intended to be used with, a separate end-use  
2 product that constitutes the primary load;

3 (d) Is contained in a separate physical enclosure from the end-use  
4 product;

5 (e) Is connected to the end-use product via a removable or hard-  
6 wired male/female electrical connection, cable, cord, or wiring;

7 (f) Has nameplate output power that is less than or equal to two  
8 hundred fifty watts; and

9 (g) Is a federally regulated external power supply.

10 (25)(a) "Compact audio product" means an integrated audio system  
11 encased in a single housing that includes an amplifier and radio tuner,  
12 attachable or separable speakers, and can reproduce audio from one or  
13 more of the following media: Magnetic tape, CD, DVD, or flash memory.

14 (b) "Compact audio product" does not include products that can be  
15 independently powered by internal batteries or that have a powered  
16 external satellite antenna, or that can provide a video output signal.

17 (26) "Digital versatile disc (DVD)" means a laser-encoded plastic  
18 medium capable of storing a large amount of digital audio, video, and  
19 computer data.

20 (27) "Digital versatile disc player" or "DVD player" means a  
21 commercially available electronic product encased in a single housing  
22 that includes an integral power supply and for which the sole purpose  
23 is the decoding of digitized video signals on a DVD.

24 (28)(a) "Digital versatile disc (DVD) recorder" or "DVD recorder"  
25 means a commercially available electronic product encased in a single  
26 housing that includes an integral power supply and for which the sole  
27 purpose is the production or recording of digitized video signals on a  
28 DVD.

29 (b) "DVD recorder" does not include models that have an electronic  
30 programming guide function.

31 (29) "Electronic programming guide" means an application that  
32 provides an interactive, onscreen menu of television listings and that  
33 downloads program information from the vertical blanking interval of a  
34 regular television signal.

35 (30)(a) "State-regulated external power supply" means a single-  
36 voltage external AC to DC or AC to AC power supply that:

37 (i) Is designed to convert line voltage AC input into lower voltage  
38 DC or AC output;

- 1        (ii) Is able to convert to only one DC or AC output voltage at a  
2 time;
- 3        (iii) Is sold with, or intended to be used with, a separate end-use  
4 product that constitutes the primary load;
- 5        (iv) Is contained within a separate physical enclosure from the  
6 end-use product;
- 7        (v) Is connected to the end-use product via a removable or hard-  
8 wired male/female electrical connection, cable, cord, or other wiring;
- 9        (vi) Does not have batteries or battery packs that physically  
10 attach directly (including those that are removable) to the power  
11 supply unit;
- 12        (vii) Does not have a battery chemistry or type selector switch and  
13 an indicator light; or, does not have a battery chemistry or type  
14 selector switch and a state of charge meter; and
- 15        (viii) Has a nameplate output power less than or equal to two  
16 hundred fifty watts.
- 17        (b) "State-regulated external power supply" does not include:
- 18        (i) A class A external power supply that is federally regulated; or  
19        (ii) A device that requires federal food and drug administration  
20 listing and approval as a medical device in accordance with 21 U.S.C.  
21 Sec. 360c.

22        **Sec. 2.** RCW 19.260.030 and 2009 c 501 s 2 are each amended to read  
23 as follows:

- 24        (1) This chapter applies to the following types of new products  
25 sold, offered for sale, or installed in the state:
- 26        (a) Automatic commercial ice cube machines;
- 27        (b) Commercial refrigerators and freezers;
- 28        (c) State-regulated incandescent reflector lamps;
- 29        (d) Wine chillers designed and sold for use by an individual;
- 30        (e) Hot water dispensers and mini-tank electric water heaters;
- 31        (f) Bottle-type water dispensers and point-of-use water dispensers;
- 32        (g) Pool heaters, residential pool pumps, and portable electric  
33 spas;
- 34        (h) Tub spout diverters; (~~and~~)
- 35        (i) Commercial hot food holding cabinets;
- 36        (j) Compact audio products, digital versatile disc players, and  
37 digital versatile disc recorders; and

1        (k) State-regulated external power supplies.

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

5        (3) This chapter does not apply to:

6        (a) New products manufactured in the state and sold outside the  
7 state;

8        (b) New products manufactured outside the state and sold at  
9 wholesale inside the state for final retail sale and installation  
10 outside the state;

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

13        (d) Products designed expressly for installation and use in  
14 recreational vehicles.

15        **Sec. 3.** RCW 19.260.040 and 2009 c 501 s 3 are each amended to read  
16 as follows:

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

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

Equipment type	Type of cooling	Harvest rate (lbs. ice/24 hrs.)	Maximum energy use (kWh/100 lbs.)	Maximum condenser water use (gallons/100 lbs.ice)
Ice-making head	water	<500	7.80 - .0055H	200 - .022H
		>=500<1436	5.58 - .0011H	200 - .022H
		>=1436	4.0	200 - .022H
Ice-making head	air	450	10.26 - .0086H	Not applicable
		>=450	6.89 - .0011H	Not applicable
Remote condensing but not remote compressor	air	<1000	8.85 - .0038	Not applicable
		>=1000	5.10	Not applicable
Remote condensing and remote compressor	air	<934	8.85 - .0038H	Not applicable
		>=934	5.3	Not applicable
Self-contained models	water	<200	11.40 - .0190H	191 - .0315H
		>=200	7.60	191 - .0315H

1	Self-contained models	air	<175	18.0 - .0469H	Not applicable
2			>=175	9.80	Not applicable

3 Where H= harvest rate in pounds per twenty-four hours which must be reported within 5% of the tested value.

4 "Maximum water use" applies only to water used for the condenser.

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

11 (2)(a) Commercial refrigerators and freezers must meet the  
12 applicable requirements listed in the following table:

13	Equipment Type	Doors	Maximum Daily Energy Consumption (kWh)
14	Reach-in cabinets, pass-through cabinets, and roll-in or roll-through cabinets that are refrigerators	Solid	0.10V+ 2.04
15		Transparent	0.12V+ 3.34
16	Reach-in cabinets, pass-through cabinets, and roll-in or roll-through cabinets that are "pulldown" refrigerators	Transparent	.126V+ 3.51
19	Reach-in cabinets, pass-through cabinets, and roll-in or roll-through cabinets that are freezers	Solid	0.40V+ 1.38
20		Transparent	0.75V+ 4.10
21	Reach-in cabinets that are refrigerator- freezers with an AV of 5.19 or higher	Solid	0.27AV - 0.71

24 kWh= kilowatt hours

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

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

27 (b) For purposes of this section, "pulldown" designates products  
28 designed to take a fully stocked refrigerator with beverages at 90  
29 degrees Fahrenheit and cool those beverages to a stable temperature of  
30 38 degrees Fahrenheit within 12 hours or less. Daily energy  
31 consumption shall be measured in accordance with the American national  
32 standards institute/American society of heating, refrigerating and air-  
33 conditioning engineers test method 117-2002, except that the back-

1 loading doors of pass-through and roll-through refrigerators and  
2 freezers must remain closed throughout the test, and except that the  
3 controls of all appliances must be adjusted to obtain the following  
4 product temperatures.

5

Product or compartment type	Integrated average product temperature in degrees Fahrenheit
Refrigerator	38±2
Freezer	0±2

9 (3)(a) The lamp electrical power input of state-regulated  
10 incandescent reflector lamps shall meet the minimum average lamp  
11 efficacy requirements for federally regulated incandescent reflector  
12 lamps specified in 42 U.S.C. Sec. 6295(i)(1)(A)-(B).

13 (b) The following types of incandescent lamps are exempt from these  
14 requirements:

15 (i) Lamps rated at fifty watts or less of the following types: BR  
16 30, ER 30, BR 40, and ER 40;

17 (ii) Lamps rated at sixty-five watts of the following types: BR  
18 30, BR 40, and ER 40; and

19 (iii) R 20 lamps of forty-five watts or less.

20 (4)(a) Wine chillers designed and sold for use by an individual  
21 must meet requirements specified in the California Code of Regulations,  
22 Title 20, section 1605.3 in effect as of July 26, 2009.

23 (b) Wine chillers designed and sold for use by an individual shall  
24 be tested in accordance with the method specified in the California  
25 Code of Regulations, Title 20, section 1604 in effect as of July 26,  
26 2009.

27 (5)(a) The standby energy consumption of bottle-type water  
28 dispensers, and point-of-use water dispensers, dispensing both hot and  
29 cold water, manufactured on or after January 1, 2010, shall not exceed  
30 1.2 kWh/day.

31 (b) The test method for water dispensers shall be the environmental  
32 protection agency energy star program requirements for bottled water  
33 coolers version 1.1.

34 (6)(a) The standby energy consumption of hot water dispensers and



1 mini-tank electric water heaters manufactured on or after January 1,  
2 2010, shall be not greater than 35 watts.

3 (b) This subsection does not apply to any water heater:

4 (i) That is within the scope of 42 U.S.C. Sec. 6292(a)(4) or  
5 6311(1);

6 (ii) That has a rated storage volume of less than 20 gallons; and

7 (iii) For which there is no federal test method applicable to that  
8 type of water heater.

9 (c) Hot water dispensers shall be tested in accordance with the  
10 method specified in the California Code of Regulations, Title 20,  
11 section 1604 in effect as of July 26, 2009.

12 (d) Mini-tank electric water heaters shall be tested in accordance  
13 with the method specified in the California Code of Regulations, Title  
14 20, section 1604 in effect as of July 26, 2009.

15 (7) The following standards are established for pool heaters,  
16 residential pool pumps, and portable electric spas:

17 (a) Natural gas pool heaters shall not be equipped with constant  
18 burning pilots.

19 (b) Residential pool pump motors manufactured on or after January  
20 1, 2010, must meet requirements specified in the California Code of  
21 Regulations, Title 20, section 1605.3 in effect as of July 26, 2009.

22 (c) Portable electric spas manufactured on or after January 1,  
23 2010, must meet requirements specified in the California Code of  
24 Regulations, Title 20, section 1605.3 in effect as of July 26, 2009.

25 (d) Portable electric spas must be tested in accordance with the  
26 method specified in the California Code of Regulations, Title 20,  
27 section 1604 in effect as of July 26, 2009.

28 (8)(a) The leakage rate of tub spout diverters shall be no greater  
29 than the applicable requirements shown in the following table:

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

34 (b) Showerhead tub spout diverter combinations shall meet both the

1 federal standard for showerheads established pursuant to 42 U.S.C. Sec.  
2 6291 et seq. and the standard for tub spout diverters specified in this  
3 section.

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

7 (b) The idle energy rate of commercial hot food holding cabinets  
8 shall be determined using ANSI/ASTM F2140-01 standard test method for  
9 the performance of hot food holding cabinets (test for idle energy rate  
10 dry test). Commercial hot food holding cabinet interior volume shall  
11 be calculated using straight line segments following the gross interior  
12 dimensions of the appliance and using the following equation: Interior  
13 height x interior width x interior depth. Interior volume shall not  
14 account for racks, air plenums, or other interior parts.

15 (10) Compact audio products, digital versatile disc players, and  
16 digital versatile disc recorders manufactured on or after January 1,  
17 2011, must:

18 (a) Meet the requirements specified in the California Code of  
19 Regulations, Title 20, section 1605.3 in effect as of the effective  
20 date of this section; and

21 (b) Be tested in accordance with the method specified in the  
22 California Code of Regulations, Title 20, section 1604 in effect as of  
23 the effective date of this section.

24 (11) State-regulated external power supplies manufactured on or  
25 after January 1, 2011, must:

26 (a) Meet the requirements specified in the California Code of  
27 Regulations, Title 20, section 1605.3 in effect as of the effective  
28 date of this section; and

29 (b) Be tested in accordance with the method specified in the  
30 California Code of Regulations, Title 20, section 1604 in effect as of  
31 the effective date of this section.

32 **Sec. 4.** RCW 19.260.050 and 2009 c 501 s 4 are each amended to read  
33 as follows:

34 (1) No new commercial refrigerator or freezer or state-regulated  
35 incandescent reflector lamp manufactured on or after January 1, 2007,  
36 may be sold or offered for sale in the state unless the efficiency of  
37 the new product meets or exceeds the efficiency standards set forth in

1 RCW 19.260.040. No new automatic commercial ice cube machine  
2 manufactured on or after January 1, 2008, may be sold or offered for  
3 sale in the state unless the efficiency of the new product meets or  
4 exceeds the efficiency standards set forth in RCW 19.260.040.

5 (2) On or after January 1, 2008, no new commercial refrigerator or  
6 freezer or state-regulated incandescent reflector lamp manufactured on  
7 or after January 1, 2007, may be installed for compensation in the  
8 state unless the efficiency of the new product meets or exceeds the  
9 efficiency standards set forth in RCW 19.260.040. On or after January  
10 1, 2009, no new automatic commercial ice cube machine manufactured on  
11 or after January 1, 2008, may be installed for compensation in the  
12 state unless the efficiency of the new product meets or exceeds the  
13 efficiency standards set forth in RCW 19.260.040.

14 (3) Standards for state-regulated incandescent reflector lamps are  
15 effective on the dates specified in subsections (1) and (2) of this  
16 section.

17 (4) The following products, if manufactured on or after January 1,  
18 2010, may not be sold or offered for sale in the state unless the  
19 efficiency of the new product meets or exceeds the efficiency standards  
20 set forth in RCW 19.260.040:

- 21 (a) Wine chillers designed and sold for use by an individual;
- 22 (b) Hot water dispensers and mini-tank electric water heaters;
- 23 (c) Bottle-type water dispensers and point-of-use water dispensers;
- 24 (d) Pool heaters, residential pool pumps, and portable electric  
25 spas;
- 26 (e) Tub spout diverters; and
- 27 (f) Commercial hot food holding cabinets.

28 (5) The following products, if manufactured on or after January 1,  
29 2010, may not be installed for compensation in the state on or after  
30 January 1, 2011, unless the efficiency of the new product meets or  
31 exceeds the efficiency standards set forth in RCW 19.260.040:

- 32 (a) Wine chillers designed and sold for use by an individual;
- 33 (b) Hot water dispensers and mini-tank electric water heaters;
- 34 (c) Bottle-type water dispensers and point-of-use water dispensers;
- 35 (d) Pool heaters, residential pool pumps, and portable electric  
36 spas;
- 37 (e) Tub spout diverters; and
- 38 (f) Commercial hot food holding cabinets.

1       (6) No new compact audio products, digital versatile disc players,  
2 or digital versatile disc recorders, if manufactured on or after  
3 January 1, 2011, may be:

4       (a) Sold or offered for sale in the state unless the efficiency of  
5 the new product meets or exceeds the efficiency standards set forth in  
6 RCW 19.260.040; or

7       (b) Installed for compensation in the state on or after January 1,  
8 2012, unless the efficiency of the new product meets or exceeds the  
9 efficiency standards set forth in RCW 19.260.040.

10       (7) No new state-regulated external power supply, if manufactured  
11 on or after January 1, 2011, may be:

12       (a) Sold or offered for sale in the state unless the efficiency of  
13 the new product meets or exceeds the efficiency standards set forth in  
14 RCW 19.260.040; or

15       (b) Installed for compensation in the state on or after January 1,  
16 2012, unless the efficiency of the new product meets or exceeds the  
17 efficiency standards set forth in RCW 19.260.040.

18       NEW SECTION. Sec. 5. If any provision of this act or its  
19 application to any person or circumstance is held invalid, the  
20 remainder of the act or the application of the provision to other  
21 persons or circumstances is not affected."

**SHB 2416** - S AMD  
By Senator Rockefeller

22       On page 1, line 1 of the title, after "products;" strike the  
23 remainder of the title and insert "amending RCW 19.260.030, 19.260.040,  
24 and 19.260.050; and reenacting and amending RCW 19.260.020."

EFFECT: Adopts, by reference, energy efficiency standards and

testing methods specified in the California Code of Regulations for compact audio products, digital versatile disc players, digital versatile disc recorders, and state-regulated external power supplies. Prohibitions regarding noncompliant products will take effect in 2011 (sales) and 2012 (installation for compensation).

--- END ---