
ENGROSSED SUBSTITUTE HOUSE BILL 2414

State of Washington

63rd Legislature

2014 Regular Session

By House Environment (originally sponsored by Representatives Fitzgibbon, Farrell, Senn, Ryu, and Pollet)

READ FIRST TIME 02/05/14.

1 AN ACT Relating to water conservation appliances; amending RCW
2 19.27.170; and creating a new section.

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

4 NEW SECTION. **Sec. 1.** The legislature finds that:

5 (1) Water is vital to the survival of life on the planet and is
6 limited in supply. One way to help extend Washington's water supply is
7 by promoting water efficiency and enhancing the market for water
8 efficient products, programs, and practices;

9 (2) Bathrooms are, by far, the largest user of water inside homes
10 and buildings, and responsible for about one-half of total indoor water
11 use;

12 (3) Toilets account for approximately thirty percent of residential
13 indoor water consumption. Toilets are a major source of wasted water
14 due to leaks or inefficiencies. Under federal and state law, toilets
15 sold in the United States must not exceed 1.6 gallons per flush. High
16 efficiency toilets go beyond the standard and use less than 1.3 gallons
17 per flush. Power assist and pressure assist toilets use even less
18 water. Tests and research demonstrate that high efficiency toilets,
19 meeting the United States environmental protection agency's watersense

1 specifications conserve water and work as well or better than high
2 volume toilets. If all homes and buildings in the United States
3 replaced old toilets with new high efficiency toilets, the savings
4 would be more than five hundred twenty billion gallons of water a year;

5 (4) Besides saving water and reducing a customer's costs, water
6 efficiency offers many other benefits:

7 (a) Less water withdrawn from rivers, lakes, and aquifers, which
8 helps keep these water bodies healthy;

9 (b) Improved water quality due to increased river flows;

10 (c) Less energy required to pump and treat the water and
11 wastewater, therefore less greenhouse gas emissions;

12 (d) Less wastewater that requires collection, treatment, and
13 disposal; and

14 (e) Less pollution from treated wastewater in our streams and
15 waterways;

16 (5) Current codes adopt nationally recognized performance and water
17 efficiency standards by which plumbing fixtures and fitting
18 efficiencies are measured. The current state building and plumbing
19 codes have adopted standards that define the terms "high efficiency
20 toilet," "dual flush toilet," and "single flush toilet";

21 (6) The state building code council adopts and maintains the state
22 building code and accordingly requires standards in terms of
23 performance and nationally accepted standards. The state building code
24 council regularly reviews updated versions of the model codes that
25 comprise the state building code, and adopts and amends the state
26 building code in a manner that is consistent with the state's interests
27 as prescribed by law; and

28 (7) The state building code council will commence their next update
29 of the state building code in 2015 and complete their rule making by
30 December 1, 2015.

31 **Sec. 2.** RCW 19.27.170 and 1991 c 347 s 16 are each amended to read
32 as follows:

33 (1) The state building code council shall adopt rules under chapter
34 34.05 RCW during the 2015 code adoption period to become effective July
35 1, 2016, that implement and incorporate the water conservation
36 performance standards in this subsection and subsections (4) and (5) of
37 this section. These standards shall apply to all new construction and

1 all remodeling involving replacement of plumbing fixtures in all
2 residential, hotel, motel, school, industrial, commercial use, or other
3 occupancies determined by the council to use significant quantities of
4 water.

5 ~~(2) ((The legislature recognizes that a phasing in approach to~~
6 ~~these new standards is appropriate. Therefore, standards in subsection~~
7 ~~(4) of this section shall take effect on July 1, 1990. The standards~~
8 ~~in subsection (5) of this section shall take effect July 1, 1993.))~~ By
9 July 1, 2015, all fixtures, fittings, and toilets, other than toilets
10 used by children in day care facilities and toilets used in bariatric
11 applications, sold, offered for sale, or distributed in the state shall
12 meet the requirements of subsection (4) of this section.

13 (3)(a) No individual, public or private corporation, firm,
14 political subdivision, government agency, or other legal entity may,
15 for purposes of use in this state, distribute, sell, offer for sale,
16 import, install, or approve for installation any plumbing fixtures
17 unless the fixtures meet the standards as provided for in this section.

18 (b) If a retailer is able to show proof that a product prohibited
19 for sale under this subsection was in stock and physically in the
20 retail location before the effective date of this section, that retail
21 location may sell that product until it is depleted, or until January
22 1, 2016.

23 (4) Standards for water use efficiency effective July 1, ~~((1990))~~
24 2016.

25 (a) Standards for waterclosets. The ~~((guideline))~~ requirement for
26 maximum water use allowed in gallons per flush (gpf) for any of the
27 following waterclosets is the following:

- 28
- 29 Tank-type toilets ~~((3.5))~~
- 30 1.28 gpf.
- 31 Flushometer~~((-valve))~~ nontank toilets ... ~~((3.5))~~ 1.6
- 32 gpf.
- 33 ~~((Flushometer tank toilets 3.5 gpf.~~
- 34 ~~Electromechanical hydraulic toilets 3.5 gpf.))~~

35 (b) Standard for urinals. The ~~((guideline))~~ requirement for

1 maximum water use allowed for any urinal is ~~((3.0))~~ 0.5 gallons per
2 flush.

3 ~~((c))~~ ~~((Standard for showerheads. The guideline for maximum water
4 use allowed for any showerhead is 3.0 gallons per minute.~~

5 ~~(d))~~ Standard for faucets. The ~~((guideline))~~ requirement for
6 maximum water use allowed in gallons per minute (gpm) for any of the
7 following faucets and replacement aerators is the following:

8	((Bathroom faucets	3.0 gpm.))
9	Lavatory faucets	((3.0)) <u>0.5</u>
10		gpm.
11	Kitchen faucets	((3.0)) <u>2.2</u>
12		gpm.
13	Replacement aerators	((3.0)) <u>2.2</u>
14		gpm.

15 ~~((e))~~ (d) Except where designed and installed for use by ~~((the
16 physically-handicapped))~~ individuals with disabilities, lavatory
17 faucets located in restrooms intended for use by the general public
18 must be equipped with a metering valve designed to close by spring or
19 water pressure when left unattended (self-closing). Metered faucets
20 must deliver a maximum of 0.26 gallons per cycle.

21 ~~((f))~~ (e) No urinal or watercloset that operates on a continuous
22 flow or continuous flush basis shall be permitted.

23 (f) The state building code council shall allow exceptions for
24 alternate technologies, such as composting and incineration toilets,
25 and shall allow exceptions to account for any drain line carry
26 deficiency conditions.

27 (5) Standards for water use efficiency effective July 1, ~~((1993))~~
28 2019.

29 ~~((a))~~ Standards for waterclosets. The ~~((guideline))~~ requirement
30 for maximum water use allowed in gallons per flush (gpf) for any of the
31 following waterclosets is the following:

32	((Tank-type toilets	1.6 gpf.))
33	Flushometer ((-tank)) toilets	((1.6))
34		<u>1.28</u> gpf.

1 ~~(8) This section shall not apply to fixtures installed before July~~
2 ~~28, 1991, that are removed and relocated to another room or area of the~~
3 ~~same building after July 28, 1991, nor shall it apply to fixtures, as~~
4 ~~determined by the council, that in order to perform a specialized~~
5 ~~function, cannot meet the standards specified in this section))~~
6 recognize conformity assessment bodies conforming to ISO/IEC 17065
7 requirements for bodies certifying products, processes, and services
8 for the testing and listing of fixtures and fittings as adopted in the
9 state building code and the standards as established in subsections
10 (1), (4), and (5) of this section.

11 ~~((9))~~ (7) The water conservation performance standards shall
12 supersede all local government codes. After July 1, ~~((1990))~~ 2016,
13 cities, towns, and counties shall not amend the code revisions and
14 standards established under subsection (4) or (5) of this section.

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