
Environment & Energy Committee

HB 1619

Brief Description: Concerning appliance efficiency standards.

Sponsors: Representatives Fitzgibbon, Hackney, Ryu, Berry, Wicks, Duerr, Ramel and Valdez.

Brief Summary of Bill

- Establishes new energy efficiency standards for air purifiers, commercial ovens, and electric vehicle supply equipment, beginning January 1, 2024.
- Updates the energy efficiency standards applicable to commercial hot food holding cabinets, beginning upon the Act's effective date, and portable electric spas and residential ventilating fans, beginning January 1, 2024.
- Eliminates state efficiency standards for uninterruptible power suppliers and pool pumps.

Hearing Date: 1/11/22

Staff: Jacob Lipson (786-7196).

Background:

Appliance Efficiency and Testing Standards.

Federal law generally allows states to establish minimum efficiency and testing standards for products that are not covered by federal appliance efficiency regulations. Once a federal efficiency standard is established for a given appliance, the federal standard will preempt existing state standards unless the state is granted a waiver of federal preemption. Appliances for which federal efficiency and testing standards have been established include:

- commercial refrigeration and freezing equipment;
- wine chillers;

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- automatic commercial ice cube machines;
- residential pool pumps (newly in effect as of July 19, 2021); and
- uninterruptible power supplies (newly in effect as of January 10, 2022).

Washington law sets minimum efficiency and testing standards for several categories of appliances sold, offered for sale, or installed in the state, including:

- commercial hot food holding cabinets;
- portable electric spas;
- residential ventilating fans;
- residential pool pumps; and
- uninterruptible power supplies.

The Department of Commerce (Commerce), in consultation with the Office of the Attorney General, must regularly submit a report to the Legislature on federal standards that preempt state standards. In December, 2021, Commerce notified the Legislature that federal energy efficiency standards now preempt state standards for residential pool pumps and uninterruptible power supplies.

With respect to appliance efficiency standards, state law authorizes Commerce to:

- recommend updates to the state appliance efficiency and testing standards;
 - recommend establishing state standards for additional non-federally covered appliances;
- or
- adopt by rule more recent versions of any state efficiency standard or test method, including any product definition associated with the standard or test method, in order to maintain or improve consistency with other comparable standards in other states.

The United States Environmental Protection Agency (EPA) implements an Energy Star program that allows producers of products that meet voluntary energy efficiency standards established for categories of products by the EPA to use an official Energy Star label.

The Washington Department of Agriculture administers a Weights and Measures Program which tests and inspects commercial weighing and measuring devices. Beginning in 2023, in a regulatory program overseen by the Department of Agriculture, electric vehicle service providers that operate certain types of publicly available electric vehicle supply equipment must meet certain equipment marking, cost disclosure, and other operational standards.

Summary of Bill:

Repeal of Preempted State Standards.

The state appliance efficiency and testing standards for the following products are repealed:

- uninterruptible power supplies; and
- residential pool pumps.

Amendments to Existing State Appliance Efficiency and Testing Standards.

Beginning January 1, 2024, residential ventilating fans must meet the qualification criteria of the EPA Energy Star specification for residential ventilating fans, version 4.1. The definition of residential ventilating fans subject to these requirements is amended, beginning January 1, 2024, in a manner similar to the residential ventilating fans that are subject to the EPA's Energy Star standard, except that kitchen range hoods are specified to be included within the EPA's Energy Star definition but are not specified as being included in the updated Washington definition.

Beginning January 1, 2024, portable electric spas must meet the requirements for energy efficiency specified in, and tested in accordance with, California regulations in effect as of January 1, 2022.

Beginning as of the Act's effective date, commercial hot food holding cabinets must meet the qualification criteria of the EPA Energy Star specification for commercial hot food holding cabinets, version 2.0.

New State Appliance Efficiency and Testing Standards.

Beginning January 1, 2024, new energy efficiency standards are established as follows:

- air purifiers other than industrial air purifiers must meet the qualification criteria of the EPA Energy Star specification for room air cleaners, version 2.0;
- commercial ovens included in the scope of the EPA Energy Star program requirements product specification for commercial ovens, version 2.2, must meet that standard; and
- electric vehicle supply equipment included in the scope of the EPA Energy Star program requirements product specification for electric vehicle supply equipment, version 1.1, must meet that standard. Electric vehicle supply equipment that is operated by service providers regulated by the Washington Department of Agriculture is exempt from meeting these energy efficiency standards.

These products, if manufactured on or after January 1, 2024, may not be sold, or offered for sale, lease, or rent in Washington unless they meet the specified energy efficiency standards.

A severability clause is included.

Appropriation: None.

Fiscal Note: Available.

Effective Date: This bill takes effect 90 days after adjournment of the session in which the bill is passed, except for Section 2, establishing a new definition for residential ventilating fans subject to energy efficiency requirements, which takes effect January 1, 2024..