

## WSR 24-07-099

## PERMANENT RULES

## DEPARTMENT OF COMMERCE

[Filed March 20, 2024, 9:15 a.m., effective April 20, 2024]

Effective Date of Rule: Thirty-one days after filing.

Purpose: Chapter 19.260 RCW establishes energy efficiency standards for multiple products listed in RCW 19.260.030 that are sold, offered for sale, or installed in the state. The law also authorizes the department of commerce (commerce) to adopt by rule a more recent version of any standard established in statute in order to improve consistency with other comparable standards in other states. Under this authority, commerce regularly updates its appliance standards through rule, including after the passage of HB [ESHB] 1619 concerning appliance efficiency standards (2022), and in 2021 to incorporate updated appliance standards for computer equipment. Commerce has developed draft rules to update state efficiency standards for electric vehicle supply equipment (EVSE) and residential ventilating fans to reflect more recent versions of the Environmental Protection Agency EnergyStar standards listed in RCW 19.260.040. Commerce has also developed rules to remove the section of chapter 194-24 WAC concerning air purifiers in light of new federal conservation standards for air cleaners, which preempt the state standard.

Citation of Rules Affected by this Order: Repealing WAC 194-24-187; and amending WAC 194-24-151 and 194-24-200.

Statutory Authority for Adoption: RCW 19.260.040, 19.260.070.

Adopted under notice filed as WSR 23-23-175 on November 22, 2023.

Changes Other than Editing from Proposed to Adopted Version: Commerce received two comments requesting that the corresponding updated test procedures in EnergyStar specifications for EVSE and residential ventilating fans be included in the updated rules. Commerce updated the rules to reflect the updated test procedures corresponding to the new standards.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 1; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 2, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: March 20, 2024.

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Rules Coordinator

OTS-5095.2

AMENDATORY SECTION (Amending WSR 23-07-050, filed 3/9/23, effective 4/9/23)

**WAC 194-24-151 Residential ventilating fans manufactured on or after January 1, 2024.** (1) **Scope.** This rule applies to new residential ventilating fans manufactured on or after January 1, 2024.

(2) **Standard.** Residential ventilating fans must meet the requirements included in the scope of the Environmental Protection Agency ENERGY STAR® program product specification for residential ventilating fans, version ((4.1)) 4.2.

(3) **Testing.** Residential ventilating fans must meet the testing requirements included in the scope of the Environmental Protection Agency ENERGY STAR® program product specification for residential ventilating fans, version ((4.1)) 4.2.

(4) **Listing.** Each manufacturer must cause to be listed each residential ventilating fan, by model number, in the ENERGY STAR® product database.

(5) **Marking.** Every unit of every residential ventilating fan must have an ENERGY STAR® label.

AMENDATORY SECTION (Amending WSR 23-07-050, filed 3/9/23, effective 4/9/23)

**WAC 194-24-200 Electric vehicle supply equipment.** (1) **Scope.** This rule applies to new electric vehicle supply equipment manufactured on or after January 1, 2024.

(2) **Standard.** Electric vehicle supply equipment must meet the requirements included in the scope of the Environmental Protection Agency ENERGY STAR® program product specification for electric vehicle supply equipment, version ((1.0)) 1.2.

(3) **Testing.** Electric vehicle supply equipment must meet the testing requirements included in the scope of the Environmental Protection Agency ENERGY STAR® program product specification for electric vehicle supply equipment, version ((1.0)) 1.2.

(4) **Listing.** Each manufacturer must cause to be listed each electric vehicle supply equipment, by model number, in the ENERGY STAR® product database.

(5) **Marking.** Every unit of every electric vehicle supply equipment must have an ENERGY STAR® label.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 194-24-187            Air purifiers.