

WSR 22-01-221

PROPOSED RULES

DEPARTMENT OF COMMERCE

[Filed December 22, 2021, 10:24 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 21-19-143.

Title of Rule and Other Identifying Information: Update to the definition of "California Rule" in WAC 194-24-030 to reflect the more recent version of the appliance standards adopted by the California energy commission.

Hearing Location(s): On January 26, 2022, at 9:00 a.m., virtual. Remote testimony will be accepted.

Date of Intended Adoption: January 27, 2022.

Submit Written Comments to: Liz Reichart, Washington Department of Commerce, 1011 Plum Street S.E., P.O. Box 42525, Olympia, WA 98504, email appliances@commerce.wa.gov, by January 26, 2022.

Assistance for Persons with Disabilities: Contact Steven Hershkowitz, email Steven.Hershkowitz@commerce.wa.gov, by January 20, 2021.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: This proposal updates WAC 194-24-030 to include a December 2021 update to Title 20, Article 4 of the California Code of Regulations in the definition of "California Rule." In effect, this update captures the most recent amendment to the existing energy efficiency standard for computers and computer monitors.

Reasons Supporting Proposal: By maintaining consistency with the California rule, Washington ensures that consumers have access to the latest and most energy efficient models of computers and computer monitors and facilitates compliance by manufacturers. With this proposed update, manufacturers are able to sell the same products in California and Washington.

Statutory Authority for Adoption: RCW 19.260.070, 19.260.040.

Statute Being Implemented: Chapter 19.260 RCW.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Washington department of commerce, public.

Name of Agency Personnel Responsible for Drafting: Liz Reichart, 1011 Plum Street S.E., P.O. Box 42525, Olympia, WA 98504, 360-515-8194; Implementation and Enforcement: Washington Department of Commerce, 1011 Plum Street S.E., P.O. Box 42525, Olympia, WA 98504, 360-407-6000.

A school district fiscal impact statement is not required under RCW 28A.305.135.

A cost-benefit analysis is not required under RCW 34.05.328. The department of commerce is not a listed agency in RCW 34.05.328 (5)(a).

The proposed rule does not impose more-than-minor costs on businesses. Following is a summary of the agency's analysis showing how costs were calculated. The amendment maintains consistency of Washington's product standard with the reference standard of the California energy commission. This avoids costs that manufacturers might otherwise incur if Washington required compliance with an outdated standard.

December 22, 2021  
Dave Pringle  
Policy Advisor  
and Rules Coordinator

OTS-3499.2

AMENDATORY SECTION (Amending WSR 20-21-083, filed 10/19/20, effective 11/19/20)

**WAC 194-24-030 Definitions.** The definitions in chapter 19.260 RCW apply throughout this chapter.

(1) The following terms have the same meaning as used in the California Rule:

- (a) Showerheads;
- (b) Tub spout diverters;
- (c) Showerhead tub spout diverter combinations;
- (d) Lavatory faucets and replacement aerators;
- (e) Kitchen faucets and replacement aerators;
- (f) Public lavatory faucets and replacement aerators;
- (g) Urinals;
- (h) Water closets; and
- (i) Computers and computer monitors.

(2) "California Rule" means Title 20, Article 4, California Code of Regulations, in effect on ~~((January 2019, revised September 2019))~~ December 9, 2021.

(3) "MAEDbS" means the modernized appliance efficiency database system established pursuant to section 1606(c) of the California Rule and maintained by the California energy commission.

(4) "Distribute" means to import, consign, buy or sell for resale, offer for sale, sell, barter, exchange, install for compensation or otherwise supply a product subject to the standards in this chapter or chapter 19.260 RCW.

(5) "Distributor" means a person who distributes.

(6) "Manufacturer" has the same meaning as used in the California Rule.

[Statutory Authority: RCW 19.260.070 and 19.260.040. WSR 20-21-083, § 194-24-030, filed 10/19/20, effective 11/19/20. Statutory Authority: RCW 19.260.070. WSR 20-03-013, § 194-24-030, filed 1/6/20, effective 2/6/20. Statutory Authority: Chapter 19.260 RCW. WSR 07-14-092, § 194-24-030, filed 6/29/07, effective 7/30/07.]