
ENGROSSED SUBSTITUTE HOUSE BILL 2327

State of Washington

65th Legislature

2018 Regular Session

By House Technology & Economic Development (originally sponsored by Representatives Morris, Hudgins, Tarleton, Fey, Slatter, Fitzgibbon, Macri, Ormsby, and Doglio)

READ FIRST TIME 01/30/18.

1 AN ACT Relating to appliance efficiency standards; amending RCW
2 19.260.010, 19.260.030, 19.260.040, 19.260.050, 19.260.060, and
3 19.260.070; reenacting and amending RCW 19.260.020; and repealing RCW
4 19.27.170.

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

6 **Sec. 1.** RCW 19.260.010 and 2005 c 298 s 1 are each amended to
7 read as follows:

8 The legislature finds that efficiency standards:

9 ~~(1) ((According to estimates of the department of community,~~
10 ~~trade, and economic development, the efficiency standards set forth~~
11 ~~in chapter 298, Laws of 2005 will save nine hundred thousand~~
12 ~~megawatt-hours of electricity, thirteen million therms of natural~~
13 ~~gas, and one billion seven hundred million gallons of water in the~~
14 ~~year 2020, fourteen years after the standards have become effective,~~
15 ~~with a total net present value to buyers of four hundred ninety~~
16 ~~million dollars in 2020.~~

17 ~~(2) Efficiency standards))~~ For certain products sold or installed
18 in the state assure consumers and businesses that such products meet
19 minimum efficiency performance levels thus saving money on utility
20 bills.

1 (~~(3) Efficiency standards~~) (2) Save energy and reduce pollution
2 and other environmental impacts associated with the production,
3 distribution, and use of electricity and natural gas.

4 (~~(4) Efficiency standards~~) (3) Contribute to the economy of
5 Washington by helping to better balance energy supply and demand,
6 thus reducing pressure for higher natural gas and electricity prices.
7 By saving consumers and businesses money on energy bills, efficiency
8 standards help the state and local economy, since energy bill savings
9 can be spent on local goods and services.

10 (~~(5) Efficiency standards~~) (4) Can make electricity systems
11 more reliable by reducing the strain on the electricity grid during
12 peak demand periods. Furthermore, improved energy efficiency can
13 reduce or delay the need for new power plants, power transmission
14 lines, and power distribution system upgrades.

15 **Sec. 2.** RCW 19.260.020 and 2009 c 565 s 18 and 2009 c 501 s 1
16 are each reenacted and amended to read as follows:

17 The definitions in this section apply throughout this chapter
18 unless the context clearly requires otherwise.

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

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

26 (~~(3))~~ (2) "Commercial hot food holding cabinet" means a heated,
27 fully enclosed compartment, with one or more solid or partial glass
28 doors, that is designed to maintain the temperature of hot food that
29 has been cooked in a separate appliance. "Commercial hot food holding
30 cabinet" does not include heated glass merchandising cabinets, drawer
31 warmers, or cook and hold appliances.

32 (~~(4)(a)~~) ~~"Commercial refrigerators and freezers" means~~
33 ~~refrigerators, freezers, or refrigerator freezers designed for use by~~
34 ~~commercial or institutional facilities for the purpose of storing or~~
35 ~~merchandising food products, beverages, or ice at specified~~
36 ~~temperatures that: (i) Incorporate most components involved in the~~
37 ~~vapor-compression cycle and the refrigerated compartment in a single~~
38 ~~cabinet; and (ii) may be configured with either solid or transparent~~

1 ~~doors as a reach-in cabinet, pass-through cabinet, roll-in cabinet,~~
2 ~~or roll-through cabinet.~~

3 ~~(b) "Commercial refrigerators and freezers" does not include: (i)~~
4 ~~Products with 85 cubic feet or more of internal volume; (ii) walk-in~~
5 ~~refrigerators or freezers; (iii) consumer products that are federally~~
6 ~~regulated pursuant to 42 U.S.C. Sec. 6291 et seq.; (iv) products~~
7 ~~without doors; or (v) freezers specifically designed for ice cream.~~

8 ~~(5))~~ (3) "Compensation" means money or any other valuable thing,
9 regardless of form, received or to be received by a person for
10 services rendered.

11 ~~((6))~~ (4) "Cook and hold appliance" means a multiple mode
12 appliance intended for cooking food that may be used to hold the
13 temperature of the food that has been cooked in the same appliance.

14 ~~((7))~~ (5) "Department" means the department of commerce.

15 ~~((8))~~ (6) "Drawer warmer" means an appliance that consists of
16 one or more heated drawers and that is designed to hold hot food that
17 has been cooked in a separate appliance at a specified temperature.

18 ~~((9))~~ (7) "Heated glass merchandising cabinet" means an
19 appliance with a heated cabinet constructed of glass or clear plastic
20 doors which, with seventy percent or more clear area, is designed to
21 display and maintain the temperature of hot food that has been cooked
22 in a separate appliance.

23 ~~((10))~~ (8) "Hot water dispenser" means a small electric water
24 heater that has a measured storage volume of no greater than one
25 gallon.

26 ~~((11))~~ (9) "Mini-tank electric water heater" means a small
27 electric water heater that has a measured storage volume of more than
28 one gallon and a rated storage volume of less than twenty gallons.

29 ~~((12) "Pass-through cabinet" means a commercial refrigerator or~~
30 ~~freezer with hinged or sliding doors on both the front and rear of~~
31 ~~the unit.~~

32 ~~(13))~~ (10) "Point-of-use water dispenser" means a water
33 dispenser that uses a pressurized water utility connection as the
34 source of potable water.

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

38 ~~(15))~~ (11) "Portable electric spa" means a factory-built
39 electric spa or hot tub, ~~((supplied with equipment for heating and~~

1 circulating water)) which may or may not include any combination of
2 integral controls, water heating, or water circulating equipment.

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

6 ~~(17))~~ (12) "Residential pool pump" means a pump used to
7 circulate and filter pool water in order to maintain clarity and
8 sanitation.

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

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

15 ~~(19))~~ (13) "Showerhead" means a device through which water is
16 discharged for a shower bath and includes a body sprayer and handheld
17 showerhead but does not include a safety showerhead.

18 ~~((20))~~ (14) "Showerhead tub spout diverter combination" means a
19 group of plumbing fittings sold as a matched set and consisting of a
20 control valve, a tub spout diverter, and a showerhead.

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

27 ~~(a) A bulged reflector or elliptical reflector bulb shape and~~
28 ~~which has a diameter which equals or exceeds 2.25 inches; or~~

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

31 ~~(22))~~ (15) "Tub spout diverter" means a device designed to stop
32 the flow of water into a bathtub and to divert it so that the water
33 discharges through a showerhead.

34 ~~((23))~~ (16) "Wine chillers designed and sold for use by an
35 individual" means refrigerators designed and sold for the cooling and
36 storage of wine by an individual.

37 (17) "Air purifier" means an electric, cord-connected, portable
38 appliance with the primary function of removing particulate matter
39 from the air and which can be moved from room to room.

1 (18) "Audio or video product" means a mains-connected product
2 that offers audio amplification and/or optical disc player functions.

3 (19) "Commercial dishwasher" means a machine designed to clean
4 and sanitize plates, pots, pans, glasses, cups, bowls, utensils, and
5 trays by applying sprays of detergent solution, with or without
6 blasting media granules, and a sanitizing rinse.

7 (20) "Commercial fryer" means an appliance, including a cooking
8 vessel, in which oil is placed to such a depth that the cooking food
9 is supported by displacement of the cooking fluid rather than by the
10 bottom of the vessel. Heat is delivered to the cooking fluid by means
11 of an immersed electric element of band-wrapped vessel (electric
12 fryers) or by heat transfer from gas burners through either the walls
13 of the fryer or through tubes passing through the cooking fluid (gas
14 fryers).

15 (21) "Commercial steam cooker" means a device with one or more
16 food-steaming compartments in which the energy in the steam is
17 transferred to the food by direct contact. Models may include
18 countertop models, wall-mounted models, and floor models mounted on a
19 stand, pedestal, or cabinet-style base.

20 (22) "Air compressor" means a machine or apparatus that converts
21 different types of energy into the potential energy of gas pressure
22 for displacement and compression of gaseous media to any higher-
23 pressure values above atmospheric pressure and has a pressure ratio
24 at full-load operating pressure greater than 1.3.

25 (23) "Computer" means a device that performs logical operations
26 and processes data. "Computer" includes both stationary and portable
27 units and includes a desktop computer, a portable all-in-one, a
28 notebook computer, a high expandability computer, a small-scale
29 server, a thin client, and a workstation. "Computer" does not include
30 a tablet, game console or handheld gaming system, television, a
31 device with an integrated primary display that has a screen size of
32 twenty square inches or less, small computer device, a server other
33 than a small-scale server, or an industrial computer. Although a
34 computer is capable of using input devices and displays, these
35 devices are not required to be included with the computer when the
36 computer is shipped. A computer is composed of, at a minimum:

37 (a) A central processing unit to perform operations or, if no
38 central processing unit is present, then the device must function as
39 a client gateway to a server and the server acts as the computational
40 central processing unit;

1 (b) The ability to support user input devices such as a keyboard,
2 mouse, or touchpad; and

3 (c) An integrated display screen or the ability to support an
4 external display screen to output information.

5 (24) "Computer monitor" means an analog or digital device of
6 diagonal screen size greater than or equal to seventeen inches and
7 less than or equal to sixty-one inches, that has a pixel density of
8 greater than five thousand pixels per square inch, and that is
9 designed primarily for the display of computer generated signals for
10 viewing by one person in a desk-based environment. A computer monitor
11 is composed of a display screen and associated electronics. A
12 computer monitor does not include:

13 (a) Displays with integrated or replaceable batteries designed to
14 support primary operation without AC mains or external DC power, such
15 as electronic readers, mobile phones, tablets, or battery-powered
16 digital picture frames; or

17 (b) A television or a signage display.

18 (25) "Faucet" means a lavatory faucet, kitchen faucet, metering
19 faucet, public lavatory faucet, or replacement aerator for a
20 lavatory, public lavatory, or kitchen faucet.

21 (26) "General service lamp" has the same meaning as set forth in
22 the action published at 82 Fed. Reg. 7276, 7321-22 (January 19, 2017)
23 and modified by the action published at 82 Fed. Reg. 7322, 7333
24 (January 19, 2017).

25 (27) "High color rendering index fluorescent lamp" or "high CRI
26 fluorescent lamp" means a fluorescent lamp with a color rendering
27 index of eighty-seven or greater that is not a compact fluorescent
28 lamp.

29 (28) "Portable air conditioner" means a portable encased
30 assembly, other than a packaged terminal air conditioner, room air
31 conditioner, or dehumidifier, that delivers cooled, conditioned air
32 to an enclosed space, and is powered by single-phase electric
33 current. It includes a source of refrigeration and may include
34 additional means for air circulation and heating and may be a single-
35 duct or a dual-duct portable air conditioner.

36 (29) "Residential ventilating fan" means a ceiling, wall-mounted,
37 or remotely mounted in-line fan designed to be used in a bathroom or
38 utility room, or a kitchen range hood, whose purpose is to move
39 objectionable air from inside the building to the outdoors.

1 (30) "Signage display" means an analog or digital device designed
2 primarily for the display for computer-generated signals that is not
3 marketed for us as a computer monitor or a television.

4 (31) "Spray sprinkler body" means the exterior case or shell of a
5 sprinkler incorporating a means of connection to the piping system
6 designed to convey water to a nozzle or orifice.

7 (32) "Telephone" means an electronic product whose primary
8 purpose is to transmit and receive sound over a distance using a
9 voice or data network.

10 (33) "Television" or "TV" means an analog or digital device
11 designed primarily for the display and reception of a terrestrial,
12 satellite, cable, internet protocol TV, or other broadcast or
13 recorded transmission of analog or digital video and audio signals.
14 "Television" includes combination TVs, television monitors, component
15 TVs, and any unit that is marketed to a consumer as a TV.
16 "Television" does not include computer monitors.

17 (34) "Uninterruptible power supply" means a battery charger
18 consisting of a number of convertors, switches, and energy storage
19 devices such as batteries, constituting a power system for
20 maintaining continuity of load power in case of input power failure.

21 (35) "Urinal" means a plumbing fixture that receives only liquid
22 body waste and, on demand, conveys the waste through a trap seal into
23 a gravity drainage system.

24 (36) "Water closet" means a plumbing fixture having a water-
25 containing receptor that receives liquid and solid body waste through
26 an exposed integral trap into a gravity drainage system.

27 (37) "Water cooler" means a freestanding device that consumes
28 energy to cool or heat potable water, including cold only units, hot
29 and cold units, cook and cold units, storage-type units, and on-
30 demand units.

31 (38) "Industrial air purifier" means an indoor air cleaning
32 device manufactured, advertised, marketed, labeled, and used solely
33 for industrial use that is marketed solely through industrial supply
34 outlets or businesses and prominently labeled as, "Solely for
35 industrial use. Potential health hazard: Emits ozone."

36 (39) "Pressure regulator" means a device that maintains constant
37 operating pressure immediately downstream from the device, given
38 higher pressure upstream.

1 **Sec. 3.** RCW 19.260.030 and 2009 c 501 s 2 are each amended to
2 read as follows:

3 (1) This chapter applies to the following types of new products
4 sold, offered for sale, or installed in the state:

5 ~~(a) ((Automatic commercial ice cube machines;~~
6 ~~(b) Commercial refrigerators and freezers;~~
7 ~~(c) State-regulated incandescent reflector lamps;~~
8 ~~(d))~~ Wine chillers designed and sold for use by an individual;
9 ~~((e))~~ (b) Hot water dispensers and mini-tank electric water
10 heaters;

11 ~~((f))~~ (c) Bottle-type water dispensers and point-of-use water
12 dispensers;

13 ~~((g) Pool heaters,~~) (d) Residential pool pumps~~((r))~~ and
14 portable electric spas;

15 ~~((h))~~ (e) Tub spout diverters; ~~((and~~
16 ~~(i))~~ (f) Commercial hot food holding cabinets;
17 (g) Air purifiers;
18 (h) Commercial fryers, commercial dishwashers, and commercial
19 steam cookers;

20 (i) Compressors;
21 (j) Computers and computer monitors;
22 (k) Faucets;
23 (l) High CRI fluorescent lamps;
24 (m) Portable air conditioners and residential ventilating fans;
25 (n) Showerheads;
26 (o) Signage displays;
27 (p) Spray sprinkler bodies;
28 (q) Telephones;
29 (r) Televisions;
30 (s) Uninterruptible power supplies;
31 (t) Urinals and water closets;
32 (u) Water coolers;
33 (v) Audio or video products; and
34 (w) General service lamps.

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

38 (3) This chapter does not apply to:
39 (a) New products manufactured in the state and sold outside the
40 state;

1 (b) New products manufactured outside the state and sold at
 2 wholesale inside the state for final retail sale and installation
 3 outside the state;

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

6 (d) Products designed expressly for installation and use in
 7 recreational vehicles.

8 **Sec. 4.** RCW 19.260.040 and 2009 c 501 s 3 are each amended to
 9 read as follows:

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

12 ~~(1)((a) Automatic commercial ice cube machines must have daily
 13 energy use and daily water use no greater than the applicable values
 14 in 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
Self-contained models	air	<175	18.0-.0469H	Not applicable
		≥175	9.80	Not applicable

33 Where H= harvest rate in pounds per twenty-four hours which must be reported within 5% of the tested value. "Maximum
 34 water use" applies only to water used for the condenser.

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

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

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

kWh= kilowatt-hours

V= total volume (ft³)

AV= adjusted volume= [1.63 x freezer volume (ft³)] + refrigerator volume (ft³)

~~(b) For purposes of this section, "pulldown" designates products designed to take a fully stocked refrigerator with beverages at 90 degrees Fahrenheit and cool those beverages to a stable temperature of 38 degrees Fahrenheit within 12 hours or less. Daily energy consumption shall be measured in accordance with the American national standards institute/American society of heating, refrigerating and air conditioning engineers test method 117-2002, except that the back loading doors of pass-through and roll-through refrigerators and freezers must remain closed throughout the test, and except that the controls of all appliances must be adjusted to obtain the following product temperatures.~~

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

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

7 ~~(b) The following types of incandescent lamps are exempt from~~
8 ~~these requirements:~~

9 ~~(i) Lamps rated at fifty watts or less of the following types: BR~~
10 ~~30, ER 30, BR 40, and ER 40;~~

11 ~~(ii) Lamps rated at sixty five watts of the following types: BR~~
12 ~~30, BR 40, and ER 40; and~~

13 ~~(iii) R 20 lamps of forty five watts or less.~~

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

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

21 ~~((5))~~ (2)(a) The standby energy consumption of bottle-type
22 water dispensers, and point-of-use water dispensers, dispensing both
23 hot and cold water, manufactured on or after January 1, 2010, shall
24 not exceed 1.2 kWh/day.

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

28 ~~((6))~~ (3)(a) The standby energy consumption of hot water
29 dispensers and mini-tank electric water heaters manufactured on or
30 after January 1, 2010, shall be not greater than 35 watts.

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

32 (i) That is within the scope of 42 U.S.C. Sec. 6292(a)(4) or
33 6311(1);

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

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

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

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

4 ~~((7))~~ (4) The following standards are established for ~~((pool~~
5 ~~heaters,))~~ residential pool pumps~~((,))~~ and portable electric spas:

6 (a) ~~((Natural gas pool heaters shall not be equipped with~~
7 ~~constant burning pilots.~~

8 ~~(b))~~ Residential pool pump motors manufactured on or after
9 January 1, 2010, must meet requirements specified in the California
10 Code of Regulations, Title 20, section 1605.3 in effect as of July
11 26, 2009.

12 ~~((c))~~ (b) Through December 31, 2019, portable electric spas
13 manufactured on or after January 1, 2010, must meet requirements
14 specified in the California Code of Regulations, Title 20, section
15 1605.3 in effect as of July 26, 2009. Beginning January 1, 2020,
16 portable electric spas must meet the requirements of the American
17 national standard for portable electric spa energy efficiency (ANSI/
18 APSP/ICC-14 2014).

19 ~~((d))~~ (c) Through December 31, 2019, portable electric spas
20 must be tested in accordance with the method specified in the
21 California Code of Regulations, Title 20, section 1604 in effect as
22 of July 26, 2009. Beginning January 1, 2020, portable electric spas
23 must be tested in accordance with the method specified in the
24 American national standard for portable electric spa energy
25 efficiency (ANSI/APSP/ICC-14 2014).

26 ~~((8))~~ (5)(a) The leakage rate of tub spout diverters shall be
27 no greater than the applicable requirements shown in the following
28 table:

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

33 (b) Showerhead tub spout diverter combinations shall meet both
34 the ~~((federal standard for showerheads established pursuant to 42~~
35 ~~U.S.C. Sec. 6291 et seq.))~~ standard for showerheads specified in this
36 section and the standard for tub spout diverters specified in this
37 section.

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

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

13 (7) Air purifiers, except industrial air purifiers, must meet the
14 following requirements as measured in accordance with the
15 environmental protection agency energy star program product
16 specification for room air cleaners, version 1.2:

17 (a) Clean air delivery rate for dust must be 50 or greater;

18 (b) Clean air delivery rate per watt for dust must be equal to or
19 greater than 2.0;

20 (c) For ozone-emitting models, measured ozone must be less than
21 or equal to 50 parts per billion; and

22 (d) Standby power may not exceed two watts.

23 (8) Commercial dishwashers included in the scope of the
24 environmental protection agency energy star program product
25 specification for commercial dishwashers, version 2.0, must meet the
26 qualification criteria of that specification.

27 (9) Commercial fryers included in the scope of the environmental
28 protection agency energy star program product specification for
29 commercial fryers, version 2.0, must meet the qualification criteria
30 for that specification.

31 (10) Commercial steam cookers must meet the requirements of the
32 environmental protection agency energy star program product
33 specification for commercial steam cookers, version 1.2.

34 (11) Computers and computer monitors must meet the requirements
35 in the California Code of Regulations, Title 20, section 1605.3(v) as
36 adopted on May 10, 2017, and amended on November 8, 2017, as measured
37 in accordance with test methods prescribed in section 1604(v) of
38 those regulations.

39 (12) Air compressors that meet the twelve criteria listed on page
40 350 to 351 of the "energy conservation standards for air compressors"

1 final rule issued by the United States department of energy on
2 December 5, 2016, shall meet the requirements in table 1 on page 352
3 following the instructions on page 353 and as measured in accordance
4 with the "uniform test method for certain air compressors" under 10
5 C.F.R. Part 431 (Appendix A to Subpart T) as in effect on July 3,
6 2017.

7 (13) Faucets, except for metering faucets, and showerheads must
8 meet the following standards when measured in accordance with the
9 test methods prescribed in 10 C.F.R. Sec. 430.23 (appendix S to
10 subpart B of part 430) in effect as of January 3, 2017:

11 (a) Lavatory faucets and replacement aerators may not exceed a
12 maximum flow rate of 1.2 gallons per minute at 60 pounds per square
13 inch;

14 (b) Kitchen faucets and replacement aerators may not exceed a
15 maximum flow rate of 1.8 gallons per minute at 60 pounds per square
16 inch, with optional temporary flow of 2.2 gallons per minute,
17 provided the kitchen faucets and replacement aerators default to a
18 maximum flow rate of 1.8 gallons per minute at 60 pounds per square
19 inch after each use;

20 (c) Public lavatory faucets and replacement aerators may not
21 exceed a maximum flow rate of 0.5 gallons per minute at 60 pounds per
22 square inch; and

23 (d) Showerheads may not exceed a maximum flow rate of 1.8 gallons
24 per minute at 80 pounds per square inch.

25 (14) High CRI fluorescent lamps must meet the requirements in 10
26 C.F.R. Sec. 430.32(n)(4) in effect as of January 3, 2017, as measured
27 in accordance with the test methods prescribed in 10 C.F.R. Sec.
28 430.23 (appendix R to subpart B of part 430) in effect as of January
29 3, 2017.

30 (15) Portable air conditioners must have a combined energy
31 efficiency ratio, as measured in accordance with the test methods
32 prescribed in 10 C.F.R. Sec. 430.23 (appendix CC to subpart B of part
33 430) in effect as of January 3, 2017, that is greater than or equal
34 to:

$$1.04 \times \frac{SACC}{(3.7117 \times SACC^{0.6384})}$$

37 where "SACC" is seasonally adjusted cooling capacity in Btu/h.

1 (16) Residential ventilating fans must meet the qualification
2 criteria of the environmental protection agency energy star program
3 product specification for residential ventilating fans, version 3.2.

4 (17) Signage displays must meet the requirements in the
5 California Code of Regulations, Title 20, section 1605.3 in effect as
6 of January 1, 2018, as measured in accordance with the test methods
7 prescribed in the California Code of Regulations, Title 20, section
8 1604 in effect as of January 1, 2018.

9 (18) Spray sprinkler bodies that are not specifically excluded
10 from the scope of the environmental protection agency water sense
11 program product specification for spray sprinkler bodies, version
12 1.0, must include an integral pressure regulator and must meet the
13 water efficiency and performance criteria and other requirements of
14 that specification.

15 (19) Telephones included in the scope of the environmental
16 protection agency energy star program product specification for
17 telephony, version 3.0, must meet the certification criteria of that
18 specification, except that the performance requirements for external
19 power supplies in section 3.2.2 of the specification does not apply.

20 (20) Televisions must meet the requirements in the California
21 Code of Regulations, Title 20, section 1605.3 in effect as of January
22 1, 2018, as measured in accordance with the test methods prescribed
23 in the California Code of Regulations, Title 20, section 1604 in
24 effect as of January 1, 2018.

25 (21) Urinals and water closets must meet the requirements in the
26 California Code of Regulations, Title 20, section 1605.3 in effect as
27 of January 1, 2018, as measured in accordance with the test methods
28 prescribed in the California Code of Regulations, Title 20, section
29 1604 in effect as of January 1, 2018.

30 (22) Uninterruptible power supplies that utilize a NEMA 1-15P or
31 5-15P input plug and have an AC output must have an average load
32 adjusted efficiency that meets or exceeds the values shown on page
33 193 of the prepublication final rule "Energy Conservation Program:
34 Energy Conservation Standards for Uninterruptible Power Supplies"
35 issued by the United States department of energy on December 28,
36 2016, as measured in accordance with test procedures prescribed in
37 Appendix Y to Subpart B of Part 430 of Title 10 of the Code of
38 Federal Regulations "Uniform Test Method for Measuring the Energy
39 Consumption of Battery Chargers" in effect as of January 11, 2017.

1 (23) Water coolers included in the scope of the environmental
2 protection agency energy star program product specification for water
3 coolers, version 2.0, must have an on mode with no water draw energy
4 consumption less than or equal to the following values as measured in
5 accordance with the test requirements of that program:

6 (a) 0.16 kilowatt-hours per day for cold-only units and cook and
7 cold units;

8 (b) 0.87 kilowatt-hours per day for storage type hot and cold
9 units; and

10 (c) 0.18 kilowatt-hours per day for on demand hot and cold units.

11 (24) Audio or video products included in the scope of the
12 environmental protection agency energy star program product
13 specification for audio or video, version 3.0, as revised December
14 2014, must meet the qualification criteria of that specification,
15 except that the performance requirements for external power supplies
16 in section 3.2.1 of the specification do not apply.

17 (25) General service lamps must meet or exceed a lamp efficacy of
18 45 lumens per watt, when tested in accordance with the applicable
19 federal test procedures for general service lamps prescribed in 10
20 C.F.R. Sec. 430.23 in effect as of January 3, 2017.

21 **Sec. 5.** RCW 19.260.050 and 2009 c 501 s 4 are each amended to
22 read as follows:

23 (1) No new ~~((commercial refrigerator or freezer or))~~ state-
24 regulated incandescent reflector lamp manufactured on or after
25 January 1, 2007, may be sold or offered for sale in the state unless
26 the efficiency of the new product meets or exceeds the efficiency
27 standards set forth in RCW 19.260.040. ~~((No new automatic commercial~~
28 ~~ice cube machine manufactured on or after January 1, 2008, may be~~
29 ~~sold or offered for sale in the state unless the efficiency of the~~
30 ~~new product meets or exceeds the efficiency standards set forth in~~
31 ~~RCW 19.260.040.))~~

32 (2) ~~((On or after January 1, 2008, no new commercial refrigerator~~
33 ~~or freezer or state-regulated incandescent reflector lamp~~
34 ~~manufactured on or after January 1, 2007, may be installed for~~
35 ~~compensation in the state unless the efficiency of the new product~~
36 ~~meets or exceeds the efficiency standards set forth in RCW~~
37 ~~19.260.040. On or after January 1, 2009, no new automatic commercial~~
38 ~~ice cube machine manufactured on or after January 1, 2008, may be~~
39 ~~installed for compensation in the state unless the efficiency of the~~

1 ~~new product meets or exceeds the efficiency standards set forth in~~
2 ~~RCW 19.260.040.~~

3 ~~(3))~~ Standards for state-regulated incandescent reflector lamps
4 are effective on the date~~((s))~~ specified in subsection~~((s))~~ (1) ~~((and~~
5 ~~(2))~~) of this section.

6 ~~((4))~~ (3) The following products, if manufactured on or after
7 January 1, 2010, may not be sold or offered in the state unless the
8 efficiency of the new product meets or exceeds the efficiency
9 standards set forth in RCW 19.260.040:

- 10 (a) Wine chillers designed and sold for use by an individual;
- 11 (b) Hot water dispensers and mini-tank electric water heaters;
- 12 (c) Bottle-type water dispensers and point-of-use water
13 dispensers;
- 14 (d) ~~((Pool heaters,))~~ Residential pool pumps~~((,))~~ and portable
15 electric spas;
- 16 (e) Tub spout diverters; and
- 17 (f) Commercial hot food holding cabinets.

18 ~~((5))~~ (4) The following products, if manufactured on or after
19 January 1, 2010, may not be installed for compensation in the state
20 on or after January 1, 2011, unless the efficiency of the new product
21 meets or exceeds the efficiency standards set forth in RCW
22 19.260.040:

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

31 (5) The following products, if manufactured on or after January
32 1, 2020, may not be sold or offered for sale, lease, or rent in the
33 state unless the efficiency of the new product meets or exceeds the
34 efficiency standards set forth in RCW 19.260.040:

- 35 (a) Air purifiers;
- 36 (b) Commercial dishwashers;
- 37 (c) Commercial fryers;
- 38 (d) Commercial steam cookers;
- 39 (e) Compressors;
- 40 (f) Computers or computer monitors;

- 1 (g) Faucets;
2 (h) High CRI fluorescent lamps;
3 (i) Portable air conditioners;
4 (j) Residential ventilating fans;
5 (k) Signage displays;
6 (l) Spray sprinkler bodies;
7 (m) Showerheads;
8 (n) Telephones;
9 (o) Televisions;
10 (p) Uninterruptible power supplies;
11 (q) Urinals and water closets;
12 (r) Water coolers;
13 (s) Audio or video products; and
14 (t) General service lamps.
15 (6) Standards for the following products expire January 1, 2020:
16 (a) Hot water dispensers; and
17 (b) Bottle-type water dispensers and point-of-use water
18 dispensers.
19 (7) Any electronic product that may be sold via the internet is
20 exempt from the requirements of RCW 19.260.040 and subsections (5)
21 and (6) of this section, until such time as the state has created a
22 monitoring and enforcement standard that it can implement to prevent
23 sales into the state by out-of-state web-based sales sites.

24 **Sec. 6.** RCW 19.260.060 and 2005 c 298 s 6 are each amended to
25 read as follows:

26 (1) The department may adopt rules that incorporate by reference
27 only federal efficiency standards for federally covered products as
28 the standards existed on January 3, 2017. The department must
29 regularly submit a report to the appropriate committees of the
30 legislature on federal standards that preempt the state standards set
31 forth in RCW 19.260.040. Any report on federal preemption must be
32 transmitted at least thirty days before the start of any regular
33 legislative session.

34 (2) The department may recommend updates to the energy efficiency
35 standards and test methods for products listed in RCW 19.260.030. The
36 department may also recommend establishing state standards for
37 additional nonfederally covered products. In making its
38 recommendations, the department shall use the following criteria:
39 ((+1)) (a) Multiple manufacturers produce products that meet the

1 proposed standard at the time of recommendation(~~(, (2))~~); (b)
2 products meeting the proposed standard are available at the time of
3 recommendation(~~(, (3))~~); (c) the products are cost-effective to
4 consumers on a life-cycle cost basis using average Washington
5 resource rates(~~(, (4))~~); (d) the utility of the energy efficient
6 product meets or exceeds the utility of the comparable product
7 available for purchase(~~(, (5))~~); and (e) the standard exists in
8 at least two other states in the United States. For recommendations
9 concerning commercial clothes washers, the department must also
10 consider the fiscal effects on the low-income, elderly, and student
11 populations. Any recommendations shall be transmitted to the
12 appropriate committees of the legislature sixty days before the start
13 of any regular legislative session.

14 **Sec. 7.** RCW 19.260.070 and 2005 c 298 s 7 are each amended to
15 read as follows:

16 (1) The manufacturers of products covered by this chapter must
17 test samples of their products in accordance with the test procedures
18 under this chapter or those specified in the state building code.

19 (2) Manufacturers of new products covered by RCW 19.260.030(~~(, (~~
20 ~~except for single voltage external AC to DC power supplies,~~) shall
21 certify to the department that the products are in compliance with
22 this chapter. This certification must be based on test results unless
23 this chapter does not specify a test method. The department shall
24 establish rules governing the certification of these products and may
25 coordinate with the certification programs of other states and
26 federal agencies with similar standards.

27 (3) Manufacturers of new products covered by RCW 19.260.030 shall
28 identify each product offered for sale or installation in the state
29 as in compliance with this chapter by means of a mark, label, or tag
30 on the product and packaging at the time of sale or installation. The
31 department shall establish rules governing the identification of
32 these products and packaging, which shall be coordinated to the
33 greatest practical extent with the labeling programs of other states
34 and federal agencies with equivalent efficiency standards.

35 (4) The department may test products covered by RCW 19.260.030.
36 If products so tested are found not to be in compliance with the
37 minimum efficiency standards established under RCW 19.260.040, the
38 department shall: (a) Charge the manufacturer of the product for the
39 cost of product purchase and testing; and (b) make information

1 available to the public on products found not to be in compliance
2 with the standards.

3 (5) The department shall obtain in paper form the test methods
4 specified in RCW 19.260.040, which shall be available for public use
5 at the department's energy policy offices.

6 (6) The department shall investigate complaints received
7 concerning violations of this chapter. Any manufacturer or
8 distributor who violates this chapter shall be issued a warning by
9 the director of the department for any first violation. Repeat
10 violations are subject to a civil penalty of not more than two
11 hundred fifty dollars a day. Penalties assessed under this subsection
12 are in addition to costs assessed under subsection (4) of this
13 section.

14 (7) The department may adopt rules as necessary to ensure the
15 proper implementation and enforcement of this chapter.

16 (8) The proceedings relating to this chapter are governed by the
17 administrative procedure act, chapter 34.05 RCW.

18 NEW SECTION. **Sec. 8.** RCW 19.27.170 (Water conservation
19 performance standards—Testing and identifying fixtures that meet
20 standards—Marking and labeling fixtures) and 1991 c 347 s 16 & 1989 c
21 348 s 8 are each repealed.

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