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SENATE BILL 5115

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State of Washington

66th Legislature

2019 Regular Session

By Senators Carlyle, Palumbo, Wellman, Hunt, Saldaña, and Lias; by request of Department of Commerce

Prefiled 01/10/19.

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       (5) Help ensure renters have the same access to energy efficient  
16 appliances as homeowners.

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

19       The definitions in this section apply throughout this chapter  
20 unless the context clearly requires otherwise.

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

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

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

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

1 cabinet; and (ii) may be configured with either solid or transparent  
2 doors as a reach-in cabinet, pass-through cabinet, roll-in cabinet,  
3 or roll-through cabinet.

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

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

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

15 ~~((7))~~ (5) "Department" means the department of commerce.

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

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

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

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

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

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

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

39 ~~(15))~~ (11) "Portable electric spa" means a factory-built  
40 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) "Commercial dishwasher" means a machine designed to clean  
38 and sanitize plates, pots, pans, glasses, cups, bowls, utensils, and  
39 trays by applying sprays of detergent solution, with or without  
40 blasting media granules, and a sanitizing rinse.

1       (18) "Commercial fryer" means an appliance, including a cooking  
2 vessel, in which oil is placed to such a depth that the cooking food  
3 is supported by displacement of the cooking fluid rather than by the  
4 bottom of the vessel. Heat is delivered to the cooking fluid by means  
5 of an immersed electric element of band-wrapped vessel (electric  
6 fryers) or by heat transfer from gas burners through either the walls  
7 of the fryer or through tubes passing through the cooking fluid (gas  
8 fryers).

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

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

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

31       (a) A central processing unit to perform operations or, if no  
32 central processing unit is present, then the device must function as  
33 a client gateway to a server and the server acts as the computational  
34 central processing unit;

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

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

39       (22) "Computer monitor" means an analog or digital device of  
40 diagonal screen size greater than or equal to seventeen inches and

1 less than or equal to sixty-one inches, that has a pixel density of  
2 greater than five thousand pixels per square inch, and that is  
3 designed primarily for the display of computer generated signals for  
4 viewing by one person in a desk-based environment. A computer monitor  
5 is composed of a display screen and associated electronics. A  
6 computer monitor does not include:

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

11 (b) A television or a signage display.

12 (23) "Faucet" means a lavatory faucet, kitchen faucet, metering  
13 faucet, public lavatory faucet, or replacement aerator for a  
14 lavatory, public lavatory, or kitchen faucet.

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

19 (25) "High color rendering index fluorescent lamp" or "high CRI  
20 fluorescent lamp" means a fluorescent lamp with a color rendering  
21 index of eighty-seven or greater that is not a compact fluorescent  
22 lamp.

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

30 (27) "Residential ventilating fan" means a ceiling, wall-mounted,  
31 or remotely mounted in-line fan designed to be used in a bathroom or  
32 utility room, or a kitchen range hood, whose purpose is to move  
33 objectionable air from inside the building to the outdoors.

34 (28) "Signage display" means an analog or digital device designed  
35 primarily for the display for computer-generated signals that is not  
36 marketed for use as a computer monitor or a television.

37 (29) "Spray sprinkler body" means the exterior case or shell of a  
38 sprinkler incorporating a means of connection to the piping system  
39 designed to convey water to a nozzle or orifice.

1 (30) "Uninterruptible power supply" means a battery charger  
2 consisting of a number of convertors, switches, and energy storage  
3 devices such as batteries, constituting a power system for  
4 maintaining continuity of load power in case of input power failure.

5 (31) "Urinal" means a plumbing fixture that receives only liquid  
6 body waste and, on demand, conveys the waste through a trap seal into  
7 a gravity drainage system.

8 (32) "Water closet" means a plumbing fixture having a water-  
9 containing receptor that receives liquid and solid body waste through  
10 an exposed integral trap into a gravity drainage system.

11 (33) "Water cooler" means a freestanding device that consumes  
12 energy to cool or heat potable water, including cold only units, hot  
13 and cold units, cook and cold units, storage-type units, and on-  
14 demand units.

15 (34) "Pressure regulator" means a device that maintains constant  
16 operating pressure immediately downstream from the device, given  
17 higher pressure upstream.

18 (35) "ANSI" means the American national standards institute.

19 (36) "CTA" means the consumer technology association.

20 (37) "Residential electric storage water heater" means a  
21 federally regulated consumer product that uses electricity as the  
22 energy source to heat domestic potable water, has a nameplate input  
23 rating of 12 kilowatts, contains nominally 40 gallons but no more  
24 than 120 gallons of rated hot water storage volume, and supplies a  
25 maximum hot water delivery temperature less than 180 degrees  
26 fahrenheit.

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

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

31 ~~(a) ((Automatic commercial ice cube machines;~~

32 ~~(b) Commercial refrigerators and freezers;~~

33 ~~(c) State-regulated incandescent reflector lamps;~~

34 ~~(d))~~ Wine chillers designed and sold for use by an individual;

35 ~~((e))~~ (b) Hot water dispensers and mini-tank electric water  
36 heaters;

37 ~~((f))~~ (c) Bottle-type water dispensers and point-of-use water  
38 dispensers;

1        ~~((g) Pool heaters,~~) (d) Residential pool pumps ~~((r))~~ and  
2 portable electric spas;  
3        ~~((h))~~ (e) Tub spout diverters; ~~(and~~  
4 ~~(i))~~ (f) Commercial hot food holding cabinets;  
5        (g) Commercial fryers, commercial dishwashers, and commercial  
6 steam cookers;  
7        (h) Compressors;  
8        (i) Computers and computer monitors;  
9        (j) Faucets;  
10       (k) High CRI fluorescent lamps;  
11       (l) Portable air conditioners;  
12       (m) Residential ventilating fans;  
13       (n) Showerheads;  
14       (o) Spray sprinkler bodies;  
15       (p) Uninterruptible power supplies;  
16       (q) Urinals and water closets;  
17       (r) Water coolers;  
18       (s) General service lamps; and  
19       (t) Residential electric storage water heaters.

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

23       (3) This chapter does not apply to:

24       (a) New products manufactured in the state and sold outside the  
25 state;

26       (b) New products manufactured outside the state and sold at  
27 wholesale inside the state for final retail sale and installation  
28 outside the state;

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

31       (d) Products designed expressly for installation and use in  
32 recreational vehicles.

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

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

37       (1) ~~((a) Automatic commercial ice cube machines must have daily~~  
38 ~~energy use and daily water use no greater than the applicable values~~  
39 ~~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

Where H= harvest rate in pounds per twenty-four hours which must be reported within 5% of the tested value. "Maximum 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

1	Reach-in cabinets, pass-through cabinets, and roll-	Transparent	.126V+ 3.51
2	in or roll-through cabinets that are "pulldown"		
3	refrigerators		
4	Reach-in cabinets, pass-through cabinets, and roll-	Solid	0.40V+ 1.38
5	in or roll-through cabinets that are freezers		
6		Transparent	0.75V+ 4.10
7	Reach-in cabinets that are refrigerator-freezers	Solid	0.27AV- 0.71
8	with an AV of 5.19 or higher		

9 kWh= kilowatt-hours

10 V= total volume (ft<sup>3</sup>)

11 AV= adjusted volume=[1.63 x freezer volume (ft<sup>3</sup>)]+ refrigerator volume (ft<sup>3</sup>)

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

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

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

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

32 ~~(i) Lamps rated at fifty watts or less of the following types: BR~~  
 33 ~~30, ER 30, BR 40, and ER 40;~~

34 ~~(ii) Lamps rated at sixty-five watts of the following types: BR~~  
 35 ~~30, BR 40, and ER 40; and~~

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

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

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

8       ~~((5))~~ (2) (a) The standby energy consumption of bottle-type  
9 water dispensers, and point-of-use water dispensers, dispensing both  
10 hot and cold water, manufactured on or after January 1, 2010, shall  
11 not exceed 1.2 kWh/day.

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

15       ~~((6))~~ (3) (a) The standby energy consumption of hot water  
16 dispensers and mini-tank electric water heaters manufactured on or  
17 after January 1, 2010, shall be not greater than 35 watts.

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

19       (i) That is within the scope of 42 U.S.C. Sec. 6292(a)(4) or  
20 6311(1);

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

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

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

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

30       ~~((7))~~ (4) The following standards are established for ~~((pool~~  
31 ~~heaters,))~~ residential pool pumps~~((,))~~ and portable electric spas:

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

34       ~~(b))~~ Residential pool pump motors manufactured on or after  
35 January 1, 2010, must meet requirements specified in the California  
36 Code of Regulations, Title 20, section 1605.3 in effect as of July  
37 26, 2009.

38       ~~((e))~~ (b) Through December 31, 2020, portable electric spas  
39 manufactured on or after January 1, 2010, must meet requirements  
40 specified in the California Code of Regulations, Title 20, section

1 1605.3 in effect as of July 26, 2009. Beginning January 1, 2021,  
2 portable electric spas must meet the requirements of the American  
3 national standard for portable electric spa energy efficiency (ANSI/  
4 APSP/ICC-14 2014).

5 ~~((d))~~ (c) Through December 31, 2020, portable electric spas  
6 must be tested in accordance with the method specified in the  
7 California Code of Regulations, Title 20, section 1604 in effect as  
8 of July 26, 2009. Beginning January 1, 2021, portable electric spas  
9 must be tested in accordance with the method specified in the  
10 American national standard for portable electric spa energy  
11 efficiency (ANSI/APSP/ICC-14 2014).

12 ~~((8))~~ (5)(a) The leakage rate of tub spout diverters shall be  
13 no greater than the applicable requirements shown in the following  
14 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

19 (b) Showerhead tub spout diverter combinations shall meet both  
20 the ~~((federal standard for showerheads established pursuant to 42~~  
21 ~~U.S.C. Sec. 6291 et seq.))~~ standard for showerheads specified in this  
22 section and the standard for tub spout diverters specified in this  
23 section.

24 ~~((9))~~ (6)(a) The idle energy rate of commercial hot food  
25 holding cabinets manufactured on or after January 1, 2010, shall be  
26 no greater than 40 watts per cubic foot of measured interior volume.

27 (b) The idle energy rate of commercial hot food holding cabinets  
28 shall be determined using ANSI/ASTM ~~((F2140-01))~~ F2140-11 standard  
29 test method for the performance of hot food holding cabinets (test  
30 for idle energy rate dry test). Commercial hot food holding cabinet  
31 interior volume shall be calculated using straight line segments  
32 following the gross interior dimensions of the appliance and using  
33 the following equation: Interior height x interior width x interior  
34 depth. Interior volume shall not account for racks, air plenums, or  
35 other interior parts.

36 (7) Commercial dishwashers included in the scope of the  
37 environmental protection agency energy star program product

1 specification for commercial dishwashers, version 2.0, must meet the  
2 qualification criteria of that specification.

3 (8) Commercial fryers included in the scope of the environmental  
4 protection agency energy star program product specification for  
5 commercial fryers, version 2.0, must meet the qualification criteria  
6 for that specification.

7 (9) Commercial steam cookers must meet the requirements of the  
8 environmental protection agency energy star program product  
9 specification for commercial steam cookers, version 1.2.

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

15 (11) Air compressors that meet the twelve criteria listed on page  
16 350 to 351 of the "energy conservation standards for air compressors"  
17 final rule issued by the United States department of energy on  
18 December 5, 2016, shall meet the requirements in table 1 on page 352  
19 following the instructions on page 353 and as measured in accordance  
20 with the "uniform test method for certain air compressors" under 10  
21 C.F.R. Part 431 (Appendix A to Subpart T) as in effect on July 3,  
22 2017.

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

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

30 (b) Kitchen faucets and replacement aerators may not exceed a  
31 maximum flow rate of 1.8 gallons per minute at 60 pounds per square  
32 inch, with optional temporary flow of 2.2 gallons per minute,  
33 provided the kitchen faucets and replacement aerators default to a  
34 maximum flow rate of 1.8 gallons per minute at 60 pounds per square  
35 inch after each use;

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

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

1 (13) High CRI fluorescent lamps must meet the requirements in 10  
2 C.F.R. Sec. 430.32(n)(4) in effect as of January 3, 2017, as measured  
3 in accordance with the test methods prescribed in 10 C.F.R. Sec.  
4 430.23 (appendix R to subpart B of part 430) in effect as of January  
5 3, 2017.

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

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

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

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

17 (16) Spray sprinkler bodies that are not specifically excluded  
18 from the scope of the environmental protection agency water sense  
19 program product specification for spray sprinkler bodies, version  
20 1.0, must include an integral pressure regulator and must meet the  
21 water efficiency and performance criteria and other requirements of  
22 that specification.

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

28 (18) Uninterruptible power supplies that utilize a NEMA 1-15P or  
29 5-15P input plug and have an AC output must have an average load  
30 adjusted efficiency that meets or exceeds the values shown on page  
31 193 of the prepublication final rule "Energy Conservation Program:  
32 Energy Conservation Standards for Uninterruptible Power Supplies"  
33 issued by the United States department of energy on December 28,  
34 2016, as measured in accordance with test procedures prescribed in  
35 Appendix Y to Subpart B of Part 430 of Title 10 of the Code of  
36 Federal Regulations "Uniform Test Method for Measuring the Energy  
37 Consumption of Battery Chargers" in effect as of January 11, 2017.

38 (19) Water coolers included in the scope of the environmental  
39 protection agency energy star program product specification for water

1 coolers, version 2.0, must have an on mode with no water draw energy  
2 consumption less than or equal to the following values as measured in  
3 accordance with the test requirements of that program:

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

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

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

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

13 (21) All residential electric storage water heaters must be grid-  
14 response capable by having a modular demand response communications  
15 port compliant with: (a) The March 2018 version of the  
16 ANSI/CTA-2045-A communication interface standard, or equivalent; and  
17 (b) the March 2018 version of the ANSI/CTA-2045-A application layer  
18 requirements.

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

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

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

1       ~~(3) Standards for state-regulated incandescent reflector lamps~~  
2 ~~are effective on the dates specified in subsections (1) and (2) of~~  
3 ~~this section.~~

4       ~~(4))~~ The following products, if manufactured on or after January  
5 1, 2010, may not be sold or offered in the state unless the  
6 efficiency of the new product meets or exceeds the efficiency  
7 standards set forth in RCW 19.260.040:

8       (a) Wine chillers designed and sold for use by an individual;

9       (b) Hot water dispensers and mini-tank electric water heaters;

10       (c) Bottle-type water dispensers and point-of-use water  
11 dispensers;

12       ~~((Pool heaters,))~~ Residential pool pumps~~((,))~~ and portable  
13 electric spas;

14       (e) Tub spout diverters; and

15       (f) Commercial hot food holding cabinets.

16       ~~((5))~~ (2) The following products, if manufactured on or after  
17 January 1, 2010, may not be installed for compensation in the state  
18 on or after January 1, 2011, unless the efficiency of the new product  
19 meets or exceeds the efficiency standards set forth in RCW  
20 19.260.040:

21       (a) Wine chillers designed and sold for use by an individual;

22       (b) Hot water dispensers and mini-tank electric water heaters;

23       (c) Bottle-type water dispensers and point-of-use water  
24 dispensers;

25       ~~((Pool heaters,))~~ Residential pool pumps~~((,))~~ and portable  
26 electric spas;

27       (e) Tub spout diverters; and

28       (f) Commercial hot food holding cabinets.

29       (3) The following products, if manufactured on or after January  
30 1, 2021, may not be sold or offered for sale, lease, or rent in the  
31 state unless the efficiency of the new product meets or exceeds the  
32 efficiency standards set forth in RCW 19.260.040:

33       (a) Commercial dishwashers;

34       (b) Commercial fryers;

35       (c) Commercial steam cookers;

36       (d) Compressors;

37       (e) Computers or computer monitors;

38       (f) Faucets;

39       (g) High CRI fluorescent lamps;

40       (h) Residential ventilating fans;



- 1       (i) Spray sprinkler bodies;  
2       (j) Showerheads;  
3       (k) Uninterruptible power supplies;  
4       (l) Urinals and water closets;  
5       (m) Water coolers;  
6       (n) General service lamps; and  
7       (o) Residential electric storage water heater.  
8       (4) Standards for the following products expire January 1, 2020:  
9       (a) Hot water dispensers; and  
10       (b) Bottle-type water dispensers and point-of-use water  
11 dispensers.  
12       (5) No new portable air conditioner manufactured on or after  
13 January 1, 2022, may be sold or offered for sale in the state unless  
14 the efficiency of the new product meets or exceeds the efficiency  
15 standards set forth in RCW 19.260.040.

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

18       (1) The department may adopt rules that incorporate by reference  
19 federal efficiency standards for federally covered products only as  
20 the standards existed on January 3, 2017. The department must  
21 regularly submit a report to the appropriate committees of the  
22 legislature on federal standards that preempt the state standards set  
23 forth in RCW 19.260.040. Any report on federal preemption must be  
24 transmitted at least thirty days before the start of any regular  
25 legislative session.

26       (2) The department may recommend updates to the energy efficiency  
27 standards and test methods for products listed in RCW 19.260.030. The  
28 department may also recommend establishing state standards for  
29 additional nonfederally covered products. In making its  
30 recommendations, the department shall use the following criteria:  
31 ((1)) (a) Multiple manufacturers produce products that meet the  
32 proposed standard at the time of recommendation((~~1~~)); (b)  
33 products meeting the proposed standard are available at the time of  
34 recommendation((~~2~~)); (c) the products are cost-effective to  
35 consumers on a life-cycle cost basis using average Washington  
36 resource rates((~~3~~)); (d) the utility of the energy efficient  
37 product meets or exceeds the utility of the comparable product  
38 available for purchase((~~4~~)); and ((5)) (e) the standard exists in  
39 at least two other states in the United States. For recommendations

1 concerning commercial clothes washers, the department must also  
2 consider the fiscal effects on the low-income, elderly, and student  
3 populations. Any recommendations shall be transmitted to the  
4 appropriate committees of the legislature sixty days before the start  
5 of any regular legislative session.

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

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

11 (2) Manufacturers of new products covered by RCW 19.260.030(~~(7~~  
12 ~~except for single-voltage external AC to DC power supplies,~~) shall  
13 certify to the department that the products are in compliance with  
14 this chapter. This certification must be based on test results unless  
15 this chapter does not specify a test method. The department shall  
16 establish rules governing the certification of these products and may  
17 coordinate with the certification programs of other states and  
18 federal agencies with similar standards.

19 (3) Manufacturers of new products covered by RCW 19.260.030 shall  
20 identify each product offered for sale or installation in the state  
21 as in compliance with this chapter by means of a mark, label, or tag  
22 on the product and packaging at the time of sale or installation. The  
23 department shall establish rules governing the identification of  
24 these products and packaging, which shall be coordinated to the  
25 greatest practical extent with the labeling programs of other states  
26 and federal agencies with equivalent efficiency standards.

27 (4) The department may test products covered by RCW 19.260.030.  
28 If products so tested are found not to be in compliance with the  
29 minimum efficiency standards established under RCW 19.260.040, the  
30 department shall: (a) Charge the manufacturer of the product for the  
31 cost of product purchase and testing; and (b) make information  
32 available to the public on products found not to be in compliance  
33 with the standards.

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

37 (6) The department shall investigate complaints received  
38 concerning violations of this chapter. Any manufacturer or  
39 distributor who violates this chapter shall be issued a warning by

1 the director of the department for any first violation. Repeat  
2 violations are subject to a civil penalty of not more than two  
3 hundred fifty dollars a day. Penalties assessed under this subsection  
4 are in addition to costs assessed under subsection (4) of this  
5 section.

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

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

10 NEW SECTION. **Sec. 8.** RCW 19.27.170 (Water conservation  
11 performance standards—Testing and identifying fixtures that meet  
12 standards—Marking and labeling fixtures) and 1991 c 347 s 16 & 1989 c  
13 348 s 8 are each repealed.

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