
**Technology, Energy &
Communications Committee**

HB 2703

Brief Description: Encouraging energy efficiency.

Sponsors: Representatives Morris, Morrell and Hudgins.

Brief Summary of Bill

- Establishes minimum energy efficiency standards for general purpose lights.
- Prohibits for sale general purpose lights that contain certain levels of hazardous substances.
- Establishes a work group to make recommendations on recycling of general purpose lights.

Hearing Date: 1/23/08

Staff: Scott Richards (786-7156).

Background:

European Union: Restriction of the use of Certain Hazardous Substances (RoHS) Directive

The RoHS Directive stands for "the restriction of the use of certain hazardous substances in electrical and electronic equipment." Beginning July 1, 2006, the RoHS Directive bans placing on the European Union (EU) market new electrical and electronic equipment containing more than agreed levels of lead, cadmium, mercury, hexavalent chromium, polybrominated biphenyl (PBB) and polybrominated diphenyl ether (PBDE) flame retardants.

California: RoHS Law

In 2007, California's Legislature passed HB 1109, known as the Lighting Efficiency & Toxics Reduction Act (Act). California's law is modeled after the EU's RoHS Directive.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

The Act requires the California Energy Commission to reduce lighting energy usage in indoor residences and state facilities by no less than 50 percent, by 2018, as well as require a 25 percent reduction in commercial facilities by that same date.

As part of its hazardous waste component, the bill requires manufacturers to reduce the levels of toxins in lighting products, such as mercury in fluorescent and lead in incandescents, consistent with requirements already in place in the EU. The California RoHS law requires Department of Toxic Substances Control to adopt regulations prohibiting a covered electronic device from being sold or offered for sale in California if that device is prohibited from being sold or offered for sale in the EU due to the presence of lead, mercury, cadmium, or hexavalent chromium above certain maximum concentration values.

Additionally, California's Integrated Waste Management Board must create a task force to make recommendations by June 1, 2008, on the most effective and cost-effective method for collecting and recycling end-of-life light bulbs.

Summary of Bill:

Minimum Energy Efficiency Standards for General Purpose Lighting

By December 31, 2008, the Department of Community, Trade & Economic Development (DCTED) must develop energy efficiency standards for general purpose light that would reduce statewide electrical energy consumption by 50 percent from the 2007 levels for indoor residential lighting and by 25 percent from 2007 levels for indoor commercial and outdoor lighting by 2018. The DCTED may establish programs to encourage the sale in this state of general purpose lights that meet or exceed the standards.

The term "general purpose lights" means lamps, bulbs, tubes, or other electric devices that provide functional illumination for indoor residential, indoor commercial, and outdoor use.

By December 1, 2015, the DCTED must make recommendations to the Governor and the Legislature on an annual basis on how to continue reductions in electrical consumption for lighting beyond 2018.

Within two years of adoption, the Department of General Administration (GA), and all other state agencies must cease purchasing general purpose lights that do not meet the energy efficiency standards. Within four years of adoption, state agencies must cease purchasing general service lights, which are historically appropriate in appearance for the facility, but do not meet the standard.

By January 1, 2010, the GA shall prepare a strategy to increase state agency use of general purpose lights that meet the energy efficiency standards.

Reduction of Hazardous Substances in General Purpose Lights

After January 1, 2010, the sale of general purpose lights is prohibited if the lights contain levels of hazardous substances that would violate the European Union RoHS Directive. The term "RoHS Directive" means Directive 2002/95/EC adopted by the European Parliament and the Council of the European Union on January 27, 2003, on the restriction of certain hazardous substances in electrical and electronic equipment.

A manufacturer is required to prepare technical documentation showing that its general purpose lights comply with the RoHS Directive. Also, a manufacturer is required to submit, upon request,

certification to a person who sells that manufacturer's lights, attesting that the lights do not contain levels of hazardous substances that would result in the prohibition of those lights being offered for sale in Washington.

High output linear fluorescent lamps and very high output linear fluorescent lamps are excluded from the prohibition until January 1, 2012. The DCTED is required after January 1, 2014, to determine whether these excluded lamps should be subject to the prohibition, taking into consideration changes in lamp design or manufacturing design that allow for the removal or reduction of mercury. Certain specified incandescent lamps and enhanced spectrum lamps are excluded from the prohibition until January 1, 2014.

Work Group on Collection and Recycling of End-of-Life General Purpose Lights

The Department of Ecology, in consultation with the Solid Waste Advisory Committee, must convene a work group with representatives of the lighting industry, environmental organizations, fluorescent lamp retailers, waste haulers, lamp recyclers, and local governments to consider and make recommendations on the following issues:

- The most effective, cost-efficient, and convenient method for the consumer to provide for the proper collection and recycling of any end-of-life general purpose lights;
- Methods to educate consumers about the proper management of, and collection of, end-of-life general purpose lights; and
- Designation on the general purpose light and light packaging regarding the proper recycling.

By December 1, 2008, the Department of Ecology must report its findings and recommendations for implementing and financing a recycling program for fluorescent lamps to the appropriate committees of the Legislature.

Appropriation: None.

Fiscal Note: Preliminary fiscal note available.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.