

---

SENATE BILL 6489

---

State of Washington

61st Legislature

2010 Regular Session

By Senators Oemig, Hobbs, Rockefeller, Fairley, Fraser, Brown, Shin,  
and Kline

Read first time 01/15/10. Referred to Committee on Environment, Water  
& Energy.

1 AN ACT Relating to the energy efficiency code; amending RCW  
2 19.260.030, 19.260.040, and 19.260.050; reenacting and amending RCW  
3 19.260.020; and creating a new section.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that technological  
6 innovations have led to increased manufacturing and use of large-screen  
7 flat-panel televisions, which commonly require more energy than older  
8 televisions. The legislature further finds that setting energy  
9 efficiency requirements for televisions sold or offered for sale in  
10 Washington beginning in 2011 will conserve energy, reduce consumer  
11 energy costs, and encourage manufacturers to produce more energy-  
12 efficient televisions.

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

15 The definitions in this section apply throughout this chapter  
16 unless the context clearly requires otherwise.

17 (1) "Automatic commercial ice cube machine" means a factory-made  
18 assembly, not necessarily shipped in one package, consisting of a

1 condensing unit and ice-making section operating as an integrated unit  
2 with means for making and harvesting ice cubes. It may also include  
3 integrated components for storing or dispensing ice, or both.

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

6 (3) "Commercial hot food holding cabinet" means a heated, fully  
7 enclosed compartment, with one or more solid or partial glass doors,  
8 that is designed to maintain the temperature of hot food that has been  
9 cooked in a separate appliance. "Commercial hot food holding cabinet"  
10 does not include heated glass merchandising cabinets, drawer warmers,  
11 or cook and hold appliances.

12 (4)(a) "Commercial refrigerators and freezers" means refrigerators,  
13 freezers, or refrigerator-freezers designed for use by commercial or  
14 institutional facilities for the purpose of storing or merchandising  
15 food products, beverages, or ice at specified temperatures that: (i)  
16 Incorporate most components involved in the vapor-compression cycle and  
17 the refrigerated compartment in a single cabinet; and (ii) may be  
18 configured with either solid or transparent doors as a reach-in  
19 cabinet, pass-through cabinet, roll-in cabinet, or roll-through  
20 cabinet.

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

26 (5) "Compensation" means money or any other valuable thing,  
27 regardless of form, received or to be received by a person for services  
28 rendered.

29 (6) "Cook and hold appliance" means a multiple mode appliance  
30 intended for cooking food that may be used to hold the temperature of  
31 the food that has been cooked in the same appliance.

32 (7) "Department" means the department of commerce.

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

36 (9) "Heated glass merchandising cabinet" means an appliance with a  
37 heated cabinet constructed of glass or clear plastic doors which, with

1 seventy percent or more clear area, is designed to display and maintain  
2 the temperature of hot food that has been cooked in a separate  
3 appliance.

4 (10) "Hot water dispenser" means a small electric water heater that  
5 has a measured storage volume of no greater than one gallon.

6 (11) "Mini-tank electric water heater" means a small electric water  
7 heater that has a measured storage volume of more than one gallon and  
8 a rated storage volume of less than twenty gallons.

9 (12) "Pass-through cabinet" means a commercial refrigerator or  
10 freezer with hinged or sliding doors on both the front and rear of the  
11 unit.

12 (13) "Point-of-use water dispenser" means a water dispenser that  
13 uses a pressurized water utility connection as the source of potable  
14 water.

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

18 (15) "Portable electric spa" means a factory-built electric spa or  
19 hot tub, supplied with equipment for heating and circulating water.

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

23 (17) "Residential pool pump" means a pump used to circulate and  
24 filter pool water in order to maintain clarity and sanitation.

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

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

31 (19) "Showerhead" means a device through which water is discharged  
32 for a shower bath.

33 (20) "Showerhead tub spout diverter combination" means a group of  
34 plumbing fittings sold as a matched set and consisting of a control  
35 valve, a tub spout diverter, and a showerhead.

36 (21) "State-regulated incandescent reflector lamp" means a lamp  
37 that is not colored or designed for rough or vibration service  
38 applications, has an inner reflective coating on the outer bulb to

1 direct the light, an E26 medium screw base, a rated voltage or voltage  
2 range that lies at least partially within 115 to 130 volts, and falls  
3 into one of the following categories:

4 (a) A bulged reflector or elliptical reflector bulb shape and which  
5 has a diameter which equals or exceeds 2.25 inches; or

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

8 (22)(a) "Television" means an analog or digital device designed  
9 primarily for the display and reception of a terrestrial, satellite,  
10 cable, internet protocol television, or other broadcast or recorded  
11 transmission of analog or digital video and audio signals.

12 (b) "Television" encompasses any units marketed to consumers as  
13 televisions, including:

14 (i) Combination televisions, meaning systems in which a television  
15 or television monitor and an additional device or devices, including  
16 but not limited to a digital versatile device (DVD) player or a video  
17 cassette recorder (VCR), are combined into a single unit in which the  
18 additional devices are included in the television casing;

19 (ii) Component televisions, meaning televisions composed of two or  
20 more separate components (e.g., separate display device and tuner)  
21 marketed and sold as televisions under one model or system designation,  
22 and which may have more than one power cord; and

23 (iii) Television monitors, meaning televisions that do not have an  
24 internal tuner/receiver or playback device.

25 (c) "Television" does not include:

26 (i) Computer monitors, meaning analog or digital devices designed  
27 primarily for displaying computer generated signals and not marketed  
28 for use as televisions; or

29 (ii) Televisions with screen areas greater than one thousand four  
30 hundred square inches.

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

34 ((+23+)) (24) "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.

1       **Sec. 3.** RCW 19.260.030 and 2009 c 501 s 2 are each amended to read  
2 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) Hot water dispensers and mini-tank electric water heaters;

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

11       (g) Pool heaters, residential pool pumps, and portable electric  
12 spas;

13       (h) Tub spout diverters; (~~and~~)

14       (i) Commercial hot food holding cabinets; and

15       (j) Televisions.

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

19       (3) This chapter does not apply to:

20       (a) New products manufactured in the state and sold outside the  
21 state;

22       (b) New products manufactured outside the state and sold at  
23 wholesale inside the state for final retail sale and installation  
24 outside the state;

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

27       (d) Products designed expressly for installation and use in  
28 recreational vehicles.

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

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

33       (1)(a) Automatic commercial ice cube machines must have daily  
34 energy use and daily water use no greater than the applicable values in  
35 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
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

1	Transparent	0.75V+ 4.10	
2	Reach-in cabinets that are refrigerator-	Solid	0.27AV - 0.71
3	freezers		
4	with an AV of 5.19 or higher		

5 kWh= kilowatt hours

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

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

8 (b) For purposes of this section, "pulldown" designates products  
 9 designed to take a fully stocked refrigerator with beverages at 90  
 10 degrees Fahrenheit and cool those beverages to a stable temperature of  
 11 38 degrees Fahrenheit within 12 hours or less. Daily energy  
 12 consumption shall be measured in accordance with the American national  
 13 standards institute/American society of heating, refrigerating and air-  
 14 conditioning engineers test method 117-2002, except that the back-  
 15 loading doors of pass-through and roll-through refrigerators and  
 16 freezers must remain closed throughout the test, and except that the  
 17 controls of all appliances must be adjusted to obtain the following  
 18 product temperatures.

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

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

26 (b) The following types of incandescent lamps are exempt from these  
 27 requirements:

28 (i) Lamps rated at fifty watts or less of the following types: BR  
 29 30, ER 30, BR 40, and ER 40;

30 (ii) Lamps rated at sixty-five watts of the following types: BR  
 31 30, BR 40, and ER 40; and

32 (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 Regulations,  
3 Title 20, section 1605.3 in effect as of July 26, 2009.

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

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

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

15 (6)(a) The standby energy consumption of hot water dispensers and  
16 mini-tank electric water heaters manufactured on or after January 1,  
17 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 that  
23 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 accordance  
28 with the method specified in the California Code of Regulations, Title  
29 20, section 1604 in effect as of July 26, 2009.

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

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

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

37 (c) Portable electric spas manufactured on or after January 1,



1 2010, must meet requirements specified in the California Code of  
2 Regulations, Title 20, section 1605.3 in effect as of July 26, 2009.

3 (d) Portable electric spas must be tested in accordance with the  
4 method specified in the California Code of Regulations, Title 20,  
5 section 1604 in effect as of July 26, 2009.

6 (e) Televisions manufactured on or after January 1, 2011, must be  
7 tested in accordance with and meet requirements specified in the  
8 California Code of Regulations, Title 20, sections 1604 and 1605.3 in  
9 effect as of the effective date of this section.

10 (8)(a) The leakage rate of tub spout diverters shall be no greater  
11 than the applicable requirements shown in the following 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

16 (b) Showerhead tub spout diverter combinations shall meet both the  
17 federal standard for showerheads established pursuant to 42 U.S.C. Sec.  
18 6291 et seq. and the standard for tub spout diverters specified in this  
19 section.

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

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

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

33 (1) No new commercial refrigerator or freezer or state-regulated  
34 incandescent reflector lamp manufactured on or after January 1, 2007,

1 may be sold or offered for sale in the state unless the efficiency of  
2 the new product meets or exceeds the efficiency standards set forth in  
3 RCW 19.260.040. No new automatic commercial ice cube machine  
4 manufactured on or after January 1, 2008, may be sold or offered for  
5 sale in the state unless the efficiency of the new product meets or  
6 exceeds the efficiency standards set forth in RCW 19.260.040.

7 (2) On or after January 1, 2008, no new commercial refrigerator or  
8 freezer or state-regulated incandescent reflector lamp manufactured on  
9 or after January 1, 2007, may be installed for compensation in the  
10 state unless the efficiency of the new product meets or exceeds the  
11 efficiency standards set forth in RCW 19.260.040. On or after January  
12 1, 2009, no new automatic commercial ice cube machine manufactured on  
13 or after January 1, 2008, may be installed for compensation in the  
14 state unless the efficiency of the new product meets or exceeds the  
15 efficiency standards set forth in RCW 19.260.040.

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

19 (4) The following products, if manufactured on or after January 1,  
20 2010, may not be sold or offered for sale in the state unless the  
21 efficiency of the new product meets or exceeds the efficiency standards  
22 set forth in RCW 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 dispensers;
- 26 (d) Pool heaters, residential pool pumps, and portable electric  
27 spas;
- 28 (e) Tub spout diverters; and
- 29 (f) Commercial hot food holding cabinets.

30 (5) The following products, if manufactured on or after January 1,  
31 2010, may not be installed for compensation in the state on or after  
32 January 1, 2011, unless the efficiency of the new product meets or  
33 exceeds the efficiency standards set forth in RCW 19.260.040:

- 34 (a) Wine chillers designed and sold for use by an individual;
- 35 (b) Hot water dispensers and mini-tank electric water heaters;
- 36 (c) Bottle-type water dispensers and point-of-use water dispensers;
- 37 (d) Pool heaters, residential pool pumps, and portable electric  
38 spas;

1 (e) Tub spout diverters; and  
2 (f) Commercial hot food holding cabinets.  
3 (6) Televisions manufactured on or after January 1, 2011, may not  
4 be sold, offered for sale, or installed for compensation in the state  
5 unless they meet or exceed the efficiency standards referenced in RCW  
6 19.260.040.

7 NEW SECTION. **Sec. 6.** If any provision of this act or its  
8 application to any person or circumstance is held invalid, the  
9 remainder of the act or the application of the provision to other  
10 persons or circumstances is not affected.

--- END ---