SENATE BILL REPORT
2SHB 1017

As of April 4, 2013

Title: An act relating to creating new efficiency standards.

Brief Description: Creating new efficiency standards.

Sponsors: House Committee on Appropriations Subcommittee on General Government (originally sponsored by Representatives Morris, Fitzgibbon, Fey, Liias, McCoy, Hudgins, Farrell, Morrell, Ormsby, Upthegrove and Pollet).

Brief History: Passed House: 3/06/13, 66-31; 3/06/13, 59-38.
Committee Activity: Energy, Environment & Telecommunications: 4/02/13.

SENATE COMMITTEE ON ENERGY, ENVIRONMENT & TELECOMMUNICATIONS

Staff: Jan Odano (786-7486)

Background: Efficiency Standards for Electrical Products. Washington law sets minimum energy efficiency standards for several categories of electrical products sold, offered for sale, or installed in the state, including the following:

- automatic commercial ice cube machines;
- commercial refrigerators and freezers;
- certain incandescent reflector lights;
- pool heaters, residential pool pumps, and portable electrical spas;
- hot water dispensers and mini-tank electric water heaters;
- wine chillers used by individuals;
- tub spout diverters;
- commercial hot-food holding cabinets; and
- bottle-type and point-of-use water dispensers.

Federal law generally allows states to establish minimum energy efficiency standards for electrical products that are not currently addressed in federal law.

The Department of Commerce (Department) may recommend updates to the energy efficiency standards and test methods for products listed under the energy efficiency laws. The Department may also recommend establishing state standards for additional nonfederally covered products. In making its recommendations, the Department must use the following criteria: (1) multiple manufacturers produce products that meet the proposed standard at the

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time of recommendation; (2) products meeting the proposed standard are available at the time of recommendation; (3) the products are cost effective to consumers on a life-cycle cost basis using average Washington resource rates; (4) the utility of the energy-efficient product meets or exceeds the utility of the comparable product available for purchase; and (5) the standard exists in at least two other states in the United States.

Water Conservation Performance Standards. Washington law sets minimum water conservation performance standards for several categories of plumbing fixtures, including the following:

- water closets – 1.6 gallons per flush;
- urinals – 1 gallon per flush;
- showerheads – 2.5 gallons per minute; and
- faucets – 2.5 gallons per minute.

No individual, public or private corporation, firm, political subdivision, government agency, or other legal entity may, for purposes of use in this state, distribute, sell, offer for sale, import, install, or approve for installation any plumbing fixtures unless the fixtures meet the water conservation performance standards.

State Building Code. The Washington State Building Code consists of a series of national model codes and standards that regulate the construction of residential, commercial, and industrial buildings and structures.

The State Building Code Council (Council) was created by statute in 1974 to provide analysis and advice to the Legislature and the Office of the Governor on state building code issues. The Council is responsible for the adoption of rules that implement and incorporate the state's water conservation performance standards. These standards must apply to all new construction and all remodeling involving replacement of plumbing fixtures in all residential, hotel, motel, school, industrial, or commercial use building, or other occupancies determined by the Council to use significant quantities of water. In addition to water conservation performance standards, the Council establishes the minimum building, mechanical, fire, and energy code requirements in Washington by reviewing, developing, and adopting the state Building Code.

Summary of Bill: Efficiency Standards for Battery Charger Systems, Battery Backup, and Uninterruptible Power Supplies. Minimum efficiency standards for consumer and nonconsumer battery charger systems, battery backup, and uninterruptible power supplies are established. The minimum efficiency standards for these products are incorporated by reference to the California Code of Regulations Title 20, section 1605, as of the effective date of the bill.

Large and small battery charger systems, if manufactured on or after January 1, 2014, may not be sold or offered for sale in the state on or after January 1, 2014, unless the new product meets or exceeds the efficiency standards. Large and small battery charger systems, if manufactured on or after January 1, 2014, may not be installed for compensation in the state on or after January 1, 2015, unless the new product meets or exceeds the efficiency standards.

Small battery charger systems that are not consumer products, if manufactured on or after January 1, 2017, may not be sold or offered for sale in the state unless the new product meets or exceeds the efficiency standards. Small battery charger systems that are not consumer products, if manufactured on or after January 1, 2017, may not be installed for compensation in the state on or after January 1, 2018, unless the efficiency of the new product meets or exceeds the efficiency standards. Battery backup and uninterruptible power supplies that are not consumer products, if manufactured on or after January 1, 2017, may not be sold or offered for sale in the state unless the new product meets or exceeds the efficiency standards.

Certain battery charger systems are exempt from meeting the efficiency standard for battery charger systems. They include battery charger systems:

- used to charge a motor vehicle powered by an electric motor drawing current from rechargeable storage batteries, fuel cells, or other portable sources of electrical current;
- that are certain medical devices approved for human use under the federal Food, Drug, and Cosmetic Act and listed and approved by the United States Food and Drug Administration as a medical device;
- used to charge a battery or batteries in an illuminated exit sign;
- designed for certain stationary power application;
- that are battery analyzers; and
- that are voltage independent or voltage and frequency independent uninterruptible power supplies.

Efficiency Standards for High Light Double-Ended Quartz Halogen Lamp. Efficiency standards for high light double-ended quartz halogen lamps (quartz halogen lamps) are established. A quartz halogen lamp must meet minimum efficiency standards of: (1) 27 lumens per watt for lamps with a minimum-rated initial lumen value greater than 6000 and a maximum initial lumen value of 15,000; and (2) 34 lumens per watt for lamps with a rated initial lumen value greater than 15,000 and less than 40,000.

Water Conservation Efficiency Standards. Water conservation efficiency standards for showerheads, urinals, faucets, and metered faucets are established under the State Building Code. The maximum water use allowed for:

- showerheads is 2 gallons per minute;
- urinals is 0.5 gallon per flush;
- lavatory faucets is 1.5 gallons per minute;
- kitchen faucets is 2.2 gallons per minute;
- replacement aerators is 2.2 gallons per minute;
- public lavatory faucets other than metering faucets is 0.5 gallon per minute; and
- metered faucets is 0.26 gallon per cycle.

Metered faucets are self-closing faucets that must be installed on lavatories intended to serve the transient public, such as those in, but not limited to, service stations, train stations, airports, restaurants, and convention halls.

Showerheads, urinals, faucets, and metered faucets, if manufactured on or after January 1, 2014, may not be sold or offered for sale in the state unless the new product meets or exceeds the efficiency standards. Water closets, showerheads, urinals, faucets, and metered faucets, if

manufactured on or after January 1, 2014, may not be installed for compensation in the state on or after January 1, 2015, unless the new product meets or exceeds the efficiency standards.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: This is one of the easiest ways to keep consumers' bills low by ensuring electricity is not being wasted and avoiding the need to build new electric-generating stations. This bill would cause by 2018, savings of enough electricity to power 38,000 homes and savings of approximately 1.9 billion gallons of water, enough for 32,000 homes. This is good for the environment as it saves energy and water. It is good for the consumer by saving on energy, water, and sewer utility bills costs. Today residential and commercial buildings are much more energy efficient than in the past. However, the actual energy use is about the same because electronics are taking up so much energy. The bill will provide a savings of $60 million per year and the benefits go to the rate payers. The costs to manufacturers are extremely low. The consumer does not have a choice to buy a more efficient battery charger as the chargers come with the product. This is the best and only way to send a signal to manufacturers. Reducing water flow means less waste water and therefore less electricity used to treat waste water. This would be a direct savings to rate payers. Energy efficiency and conservation should be the cornerstone for any energy policy.

Persons Testifying: PRO: Representative Jeff Morris, prime sponsor; David Cohan, NW Energy Efficiency Alliance; Shay Weer, City of Issaquah; Mary Moore, League of Women Voters of WA; Kim Drury, NW Energy Coalition; Cliff Traisman, WA Conservation Voters, Environmental Priorities Coalition; Bruce Wishart, Sierra Club; Tony Usibelli, WA State Energy Office, Dept. of Commerce; Miguel Perez-Gibson, Climate Solutions.