

JAN 23 2020

---

---

# A BILL FOR AN ACT

RELATING TO ENERGY EFFICIENCY.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature finds that the high cost of  
2 living in Hawaii adds to the importance of adopting policies  
3 that promote and encourage energy efficiency, which can provide  
4 relief for families and businesses faced with high utility  
5 bills. In 2019, the legislature took the notable step of  
6 establishing minimum energy and water efficiency standards for  
7 certain products sold, leased, or rented in the State. These  
8 standards are estimated to result in more than \$500,000,000 in  
9 cumulative utility bill savings over the next fifteen years for  
10 Hawaii.

11           The legislature further finds that expanding the list of  
12 products requiring minimum efficiency standards can help Hawaii  
13 save millions of dollars on utility bills annually and can offer  
14 even more benefits for Hawaii residents, businesses, the  
15 environment, and the economy as a whole. Adopting additional  
16 state appliance efficiency standards, among other positive  
17 results, can:



# S.B. NO. 3024

- 1           (1) Provide a boost to the local economy as a result of  
2           consumers and businesses spending their economic  
3           savings on other goods and services;
- 4           (2) Protect consumers against manufacturers who would  
5           otherwise unload less efficient appliances that the  
6           manufacturers cannot sell in other states having  
7           heightened standards;
- 8           (3) Ensure that Hawaii residents do not miss out on  
9           potential savings while awaiting uncertain progress  
10          regarding standards to be made at the national level;
- 11          (4) Lower electricity bills for residents and businesses  
12          by millions of dollars annually; and
- 13          (5) Reduce air pollutants and greenhouse gas emissions,  
14          which can result in public health benefits and help  
15          the State meet its clean energy and climate change  
16          mitigation targets.
- 17 Multiple states, including California, Colorado, Connecticut,  
18 Oregon, Rhode Island, Vermont, and Washington, have adopted  
19 robust state appliance efficiency standards to take advantage of  
20 these benefits. The legislature believes that these states can  
21 serve as important sources of information for the enforcement



1 and implementation of new or amended appliance energy standards  
2 in Hawaii.

3 Furthermore, the legislature finds that most products added  
4 pursuant to this Act are equal in cost to noncompliant products  
5 or have a short payback period ranging from zero to no more than  
6 six months.

7 Accordingly, the purpose of this Act is to:

- 8 (1) Authorize the chief energy officer of the Hawaii state  
9 energy office, instead of the director of business,  
10 economic development, and tourism, to adopt rules to  
11 enforce minimum efficiency standards for certain  
12 products and establish or amend appliance efficiency  
13 standards in certain situations; and
- 14 (2) Regulate the appliance efficiency standards for air  
15 purifiers and portable electric spas.

16 SECTION 2. Section 196-81, Hawaii Revised Statutes, is  
17 amended to read as follows:

18 "[~~f~~]**§196-81**[~~+~~] **Definitions.** As used in this part:

19 "Air purifier" or "room air cleaner" means an electric,  
20 cord-connected, portable appliance having the primary function



1 of removing particulate matter from the air and which can be  
2 moved from room to room.

3 "Chief energy officer" means the chief energy officer of  
4 the Hawaii state energy office.

5 "Compensation" means money or any other valuable thing,  
6 regardless of form, received or to be received by a person for  
7 services rendered.

8 "Computer" has the same meaning as in California Code of  
9 Regulations, Title 20, Section 1602(v), as amended.

10 "Computer monitor" has the same meaning as in California  
11 Code of Regulations, Title 20, Section 1602(v), as amended.

12 [~~"Department" means the department of business, economic~~  
13 ~~development, and tourism.~~

14 [~~"Director" means the director of business, economic~~  
15 ~~development, and tourism.]~~

16 "Faucet" means a lavatory faucet, kitchen faucet, metering  
17 faucet, or replacement aerator for a lavatory or kitchen faucet.

18 "High color rendering index fluorescent lamp" means a  
19 fluorescent lamp with a color rendering index of eighty-seven or  
20 greater that is not a compact fluorescent lamp.



1        "Industrial air purifier" means an indoor air cleaning  
2 device manufactured, advertised, marketed, labeled, and used  
3 solely for industrial use that is marketed solely through  
4 industrial supply outlets or businesses and prominently labeled  
5 as "Solely for industrial use. Potential health hazard: emits  
6 ozone."

7        "Partial on mode" means the condition during which the  
8 equipment provides at least one secondary function but no  
9 primary.

10       "Portable electric spa" means a free-standing hot tub that  
11 is electrically heated.

12       "Showerhead" means a device through which water is  
13 discharged for a shower or bath~~[. Showerhead]~~ and includes  
14 handheld showerheads and any other showerhead~~[, including a~~  
15 ~~handheld showerhead,]~~ except a safety showerhead.

16       "Spray sprinkler body" means the exterior case or shell of  
17 a sprinkler incorporating a means of connection to the piping  
18 system designed to convey water to a nozzle or orifice."

19       SECTION 3. Section 196-83, Hawaii Revised Statutes, is  
20 amended to read as follows:



1           "~~§~~196-83~~§~~ Rules. The ~~[director]~~ chief energy officer  
2 may adopt rules pursuant to chapter 91 to ~~[enforce]~~:

3           (1) Enforce the minimum efficiency standards ~~[for the~~  
4           ~~types of new products]~~ set forth in section ~~[196-84.]~~  
5           196-85; and

6           (2) Adopt or amend appliance efficiency standards for any  
7           products as the chief energy officer deems  
8           appropriate, including but not limited to those  
9           products listed or incorporated in section 196-84(a);  
10           provided that the chief energy officer shall set  
11           appliance efficiency standards upon a determination  
12           that increased efficiency standards would serve to  
13           promote energy or water conservation in the State and  
14           would be cost effective for consumers who newly  
15           purchase and use those products; provided further that  
16           no new or amended appliance efficiency standard may be  
17           made effective within one year of the effective date  
18           of any preceding new or amended appliance efficiency  
19           standard."

20           SECTION 4. Section 196-84, Hawaii Revised Statutes, is  
21 amended by amending subsection (a) to read as follows:

1           "(a) Appliance efficiency standards are established under  
2 this part for the following appliances, if standards for these  
3 appliances are not preempted by federal law:

4           (1) Air purifiers;

5           (2) Computers and computer monitors;

6           ~~[(2)]~~ (3) Faucets;

7           ~~[(3)]~~ (4) High color rendering index fluorescent lamps;

8           (5) Portable electric spas;

9           ~~[(4)]~~ (6) Showerheads; and

10          ~~[(5)]~~ (7) Spray sprinkler bodies."

11          SECTION 5. Section 196-85, Hawaii Revised Statutes, is  
12 amended to read as follows:

13          "~~[(1)]§196-85[)]~~ ~~Appliance]~~ Minimum efficiency standards.

14          ~~[(a)]~~ The following minimum efficiency standards shall apply to  
15 products listed or incorporated in section 196-84:

16          (1) Except for industrial air purifiers, all air purifiers  
17 shall meet the following requirements as measured in  
18 accordance with version 2.0 of the "ENERGY STAR  
19 Program Requirements Product Specification for Room  
20 Air Cleaners":



- 1           (A) For all models, the produced clean air delivery  
2           rate for smoke shall be greater than or equal to  
3           thirty;
- 4           (B) For models with a clean air delivery rate for  
5           smoke less than one hundred, the clean air  
6           delivery rate per watt for smoke shall be greater  
7           than or equal to 1.7;
- 8           (C) For models with a clean air delivery rate for  
9           smoke greater than or equal to one hundred and  
10          less than one hundred fifty, the clean air  
11          delivery rate per watt for smoke shall be greater  
12          than or equal to 1.9;
- 13          (D) For models with a clean air delivery rate for  
14          smoke greater than or equal to one hundred fifty,  
15          the clean air delivery rate per watt for smoke  
16          shall be greater than or equal to 2.0;
- 17          (E) For ozone-emitting models, the measured amount of  
18          ozone shall be less than or equal to fifty parts  
19          per billion;





1           (F) For models with a wi-fi network connection  
2           enabled by default when shipped, partial on mode  
3           power shall not exceed two watts; and

4           (G) For models without a wi-fi network connection  
5           enabled by default when shipped, partial on mode  
6           power shall not exceed one watt;

7           (2) Computers and computer monitors shall meet the  
8           requirements set forth in California Code of  
9           Regulations, Title 20, Section 1605.3, as amended;

10          ~~[(2)]~~ (3) Faucets shall meet the minimum efficiency  
11          standards set forth in California Code of Regulations,  
12          Title 20, Section 1605.1, as amended;

13          ~~[(3)]~~ (4) High color rendering index fluorescent lamps  
14          shall meet the minimum efficacy requirements contained  
15          in Section 430.32(n)(4) of Title 10 of the Code of  
16          Federal Regulations as in effect on January 3, 2017,  
17          as measured in accordance with Appendix R to Subpart B  
18          of Part 430 of Title 10 of the Code of Federal  
19          Regulations—"Uniform Test Method for Measuring Average  
20          Lamp Efficacy (LE), Color Rendering Index (CRI), and



1 Correlated Color Temperature (CCT) of Electric Lamps"—  
2 as amended;

3 (5) Portable electric spas shall meet the requirements of  
4 the "American National Standard for Portable Electric  
5 Spa Energy Efficiency" (ANSI/APSP/ICC 14-2019);

6 ~~[(4)]~~ (6) Showerheads shall meet the minimum efficiency  
7 standards set forth in California Code of Regulations,  
8 Title 20, Section 1605.1, as amended; and

9 ~~[(5)]~~ (7) Spray sprinkler bodies that are not specifically  
10 excluded from the scope of the Environmental  
11 Protection Agency's WaterSense Specification for Spray  
12 Sprinkler Bodies, Version 1.0, shall include an  
13 integral pressure regulator and shall meet the water  
14 efficiency and performance criteria and other  
15 requirements of that specification, as amended.

16 ~~[(b) When adopting standards for appliances pursuant to~~  
17 ~~section 196 84(a), the director shall set appliance efficiency~~  
18 ~~standards upon a determination that increased efficiency~~  
19 ~~standards would serve to promote energy or water conservation in~~  
20 ~~the State and would be cost effective for consumers who purchase~~  
21 ~~and use such new products.] "~~



1 SECTION 6. Section 196-86, Hawaii Revised Statutes, is  
2 amended to read as follows:

3 "~~+~~§196-86~~+~~ **Implementation.** (a) On or after  
4 January 1, 2021, no new computer or computer monitor, faucet,  
5 high color rendering index fluorescent lamp, showerhead, or  
6 spray sprinkler body may be sold or offered for sale, lease, or  
7 rent in the State unless the efficiency of the new product meets  
8 or exceeds the efficiency standards provided in section 196-85.

9 (b) On or after January 1, 2022, no new air purifier or  
10 portable electric spa may be sold or offered for sale, lease, or  
11 rent in the State unless the efficiency of the new product meets  
12 or exceeds the efficiency standards provided in section 196-85.

13 ~~+~~ (c) One year after the date upon which the sale or  
14 offering for sale of certain products becomes subject to the  
15 requirements of ~~[subsection]~~ subsections (a)~~[, no such]~~ and (b),  
16 these products ~~may~~ shall not be installed for compensation in  
17 the State unless the efficiency of the new product meets or  
18 exceeds the efficiency standards provided in section 196-85."

19 SECTION 7. Statutory material to be repealed is bracketed  
20 and stricken. New statutory material is underscored.

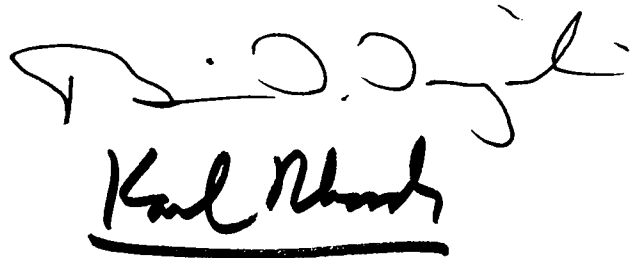



# S.B. NO. 3024

1 SECTION 8. This Act shall take effect upon its approval.

2

INTRODUCED BY:



Karl Rhand



# S.B. NO. 3024

**Report Title:**

HSEO; Chief Energy Officer; Appliance Energy Standards; Air Purifiers; Portable Electric Spas

**Description:**

Authorizes the Chief Energy Officer of the Hawaii State Energy Office to adopt rules to enforce minimum efficiency standards for certain products and establish or amend appliance efficiency standards in certain situations. Regulates the appliance efficiency standards for air purifiers and portable electric spas.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

