THE SENATE THIRTY-SECOND LEGISLATURE, 2023 STATE OF HAWAII

S.B. NO. 691

JAN 2 0 2023

A BILL FOR AN ACT

RELATING TO EFFICIENCY STANDARDS.

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 \$169,700,000 in cumulative 9 utility bill savings for Hawaii over the next fifteen years.

10 The legislature further finds that water conservation is 11 growing in significance for a variety of reasons, including 12 increasing incidence of drought conditions and the fuel spills 13 at Red Hill that have led to the closure of the Halawa shaft, 14 which previously provided twenty per cent of the water supply 15 for urban Honolulu. Water efficiency and energy efficiency are 16 closely linked, because pumping water requires energy, and water 17 conservation leads to energy conservation.

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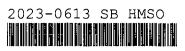
1	The	legislature also finds that expanding the list of
2	products	requiring minimum efficiency standards can help Hawaii
3	save mill	ions of dollars on utility bills annually and can offer
4	even more	benefits for Hawaii residents, businesses, the
5	environme	nt, and the economy as a whole. Adopting additional
6	minimum e	fficiency standards, among other benefits, could:
7	(1)	Provide a boost to the local economy as a result of
8		consumers and businesses spending their financial
9		savings on other goods and services in the State;
10	(2)	Protect consumers from manufacturers who would
11		otherwise unload less-efficient appliances that the
12		manufacturers could not sell in other states with
13		heightened efficiency standards;
14	(3)	Ensure that Hawaii residents do not miss out on
15		potential savings while awaiting uncertain progress
16		regarding standards to be adopted at the national
17		level;
18	(4)	Conserve and protect the State's precious and
19		vulnerable water resources, the importance of which
20		has recently been underscored by the Red Hill water
21		crisis;



1 (5) Lower electricity bills for residents and businesses 2 by millions of dollars annually; and 3 (6) Reduce air pollutants and greenhouse gas emissions, 4 which could result in public health benefits and help 5 the State meet its clean energy and climate change 6 mitigation targets. 7 Numerous states, including California, Colorado, 8 Connecticut, Maine, Maryland, Massachusetts, Nevada, New Jersey, 9 Oregon, Rhode Island, Vermont, and Washington, have adopted 10 robust state energy and water efficiency standards to take 11 advantage of these benefits. The legislature believes that 12 these states can serve as important sources of information for 13 the enforcement and implementation of new or amended energy and 14 water efficiency standards in Hawaii. 15 Furthermore, the legislature finds that most of the products encompassed by this Act are equal in cost to 16 17 noncompliant products or have a short payback period ranging 18 from zero to seven months. 19 Accordingly, the purpose of this Act is to: 20 (1) Authorize the chief energy officer of the Hawaii state 21 energy office, instead of the director of business,



1	economic development, and tourism, to adopt rules to			
2	enforce minimum efficiency standards for certain			
3	products and adopt or amend minimum efficiency			
4	standards in certain situations; and			
5	(2) Regulate the minimum efficiency standards for air			
6	purifiers, electric vehicle supply equipment, portable			
7	electric spas, residential ventilating fans, toilets,			
8	urinals, and water coolers.			
9	SECTION 2. Section 196-81, Hawaii Revised Statutes, is			
10	amended as follows:			
11	1. By adding eleven new definitions to be appropriately			
12	inserted and to read:			
13	""Air purifier" or "room air cleaner" means an electric,			
14	cord-connected, portable appliance whose primary function is to			
15	remove particulate matter from the air and that can be moved			
16	from room to room.			
17	"Chief energy officer" means the chief energy officer of			
18	the Hawaii state energy office.			
19	"Electric vehicle supply equipment" means the conductors,			
20	including the ungrounded, grounded, and equipment grounding			
21	conductors; electric vehicle connectors; attachment plugs; and			



1	all other fittings, devices, power outlets, or apparatuses
2	installed specifically for the purpose of delivering energy from
3	the premises wiring to the electric vehicle. "Electric vehicle
4	supply equipment" does not include conductors, connectors, and
5	fittings that are part of a vehicle.
6	"Industrial air purifier" means an indoor air cleaning
7	device manufactured, advertised, marketed, labeled, and used
8	solely for industrial use that is marketed solely through
9	industrial supply outlets or businesses and prominently labeled
10	as "Solely for industrial use. Potential health hazard: emits
11	ozone."
12	"Plumbing fixture" means an exchangeable device that
13	connects to a plumbing system to deliver and drain away water
14	and waste.
15	"Portable electric spa" means a factory-built electric spa
16	or hot tub which may include any combination of integral
17	controls, water heating, or water circulating equipment.
18	"Residential ventilating fan" means a ceiling or wall-
19	mounted fan, or remotely mounted in-line fan, designed to be
20	used in a bathroom or utility room for the purpose of moving air
21	from inside the building to the outdoors.



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1	"Toilet" or "water closet" means a plumbing fixture that
2	includes a water-containing receptor that is designed to receive
3	liquid and solid human waste through an exposed integral trap
4	into a drainage system. "Toilet" or "water closet" includes but
5	is not limited to a dual-flush toilet.
6	"Trough-type urinal" means a urinal designed for
7	simultaneous use by two or more persons.
8	"Urinal" means a plumbing fixture that is designed to
9	receive only liquid body waste and conveys the waste through a
10	trap into a drainage system. "Urinal" includes but is not
11	limited to a trough-type urinal.
12	"Water cooler" means a freestanding device that consumes
13	energy in order to dispense cold water, room-temperature water,
14	or hot water, or any combination thereof. "Water cooler"
15	includes but is not limited to a storage-type water cooler and
16	an on-demand water cooler."
17	2. By amending the definition of "showerhead" to read:
18	""Showerhead" means a device through which water is
19	discharged for a shower <u>or</u> bath[. Showerhead] <u>and</u> includes
20	handheld showerheads and any other showerhead[, including a
21	handheld showerhead], except a safety showerhead."

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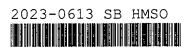
1	3.	By deleting the definitions of "department" and					
2	"director	"director".					
3	[" "D	epartment" means the department of business, economic					
4	developme	nt, and tourism.					
5	"Dir	ector" means the director of business, economic					
6	developme	nt, and tourism.]"					
7	SECT	ION 3. Section 196-83, Hawaii Revised Statutes, is					
8	amended t	o read as follows:					
9	"[+]	§196-83[]] Rules. The [director] chief energy officer					
10	may adopt	rules pursuant to chapter 91 to [enforce] <u>:</u>					
11	(1)	Enforce the minimum efficiency standards [for-the					
12		types of new products] set forth in section [196-84.]					
13		196-85; and					
14	(2)	Adopt or amend efficiency standards for any products					
15		as the chief energy officer deems appropriate,					
16		including but not limited to those products listed or					
17		incorporated in section 196-84(a); provided that the					
18		chief energy officer shall set efficiency standards					
19		upon a determination that new or increased efficiency					
20		standards would serve to promote energy or water					
21		conservation in the State and would be cost-effective					



1		for consumers who newly purchase and use those
2		products; provided further that no new or increased
3		efficiency standards shall become effective within one
4		year following the adoption of any amended regulations
5		establishing the increased efficiency standards."
6	SECT	ION 4. Section 196-84, Hawaii Revised Statutes, is
7	amended by	y amending subsection (a) to read as follows:
8	"(a)	[Appliance] Minimum efficiency standards are
9	establishe	ed under this part for the following [appliances,]
10	products,	if standards for these [appliances] products are not
11	preempted	by federal law:
12	(1)	Air purifiers;
13	[(1)]	(2) Computers and computer monitors;
14	(3)	Electric vehicle supply equipment;
15	[-(2)-]	(4) Faucets;
16	[(3)]	(5) High color rendering index fluorescent lamps;
17	(6)	Portable electric spas;
18	(7)	Residential ventilating fans;
19	[(4)]	(8) Showerheads; [and]
20	[(5)]	(9) Spray sprinkler bodies[+];
21	(10)	<u>Toilets;</u>

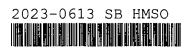


1	(11)	Urinals; and
2	(12)	<u>Water coolers.</u> "
3	SECT	ION 5. Section 196-85, Hawaii Revised Statutes, is
4	amended to	o read as follows:
5	"[+];	§196-85[] Appliance] Minimum efficiency standards.
6	[(a)] The	e following minimum efficiency standards shall apply to
7	products	listed or incorporated in section 196-84:
8	(1)	Except for industrial air purifiers, air purifiers
9		shall meet the certification criteria of the ENERGY
10		STAR Product Specification for Room Air Cleaners,
11		Version 2.0;
12	[(1)]	(2) Computers and computer monitors shall meet the
13		requirements set forth in California Code of
14		Regulations, Title 20, Section 1605.3, as amended;
15	(3)	Electric vehicle supply equipment included in the
16		scope of the ENERGY STAR Program Requirements Product
17		Specification for Electric Vehicle Supply Equipment,
18		Version 1.0, shall meet the certification criteria of
19		that specification;



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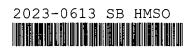
1	[(2)]	(4) Faucets shall meet the minimum efficiency
2		standards set forth in California Code of Regulations,
3		Title 20, Section 1605.1, as amended;
4	[(3)]	(5) High color rendering index fluorescent lamps
5		shall meet the minimum efficacy requirements contained
6		in [Section] <u>title 10 Code of Federal Regulations</u>
7		section 430.32(n)(4) [of Title 10 of the Code of
8		Federal Regulations], as in effect on January 3, 2017,
9		as measured in accordance with [Appendix] <u>title 10</u>
10		Code of Federal Regulations part 430, appendix R to
11		[Subpart] <u>subpart</u> B [of Part 430 of Title 10 of the
12		Code of Federal Regulations]-"Uniform Test Method for
13		Measuring Average Lamp Efficacy (LE), Color Rendering
14		Index (CRI), and Correlated Color Temperature (CCT) of
15		Electric Lamps"-as amended;
16	(6)	Portable electric spas shall meet the requirements of
17		the American National Standard for Portable Electric
18		<pre>Spa Energy Efficiency (ANSI/APSP/ICC 14-2019);</pre>
19	(7)	In-line residential ventilating fans shall have a fan
20		motor efficacy of no less than 2.8 cubic feet per
21		minute per watt. All other residential ventilating



1		fans shall have a fan motor efficacy of no less than
2		1.4 cubic feet per minute per watt for airflows less
3		than 90 cubic feet per minute and no less than 2.8
4		cubic feet per minute per watt for other airflows when
5		tested in accordance with Home Ventilation Institute
6		Publication 916 "HVI Airflow Test Procedure";
7	[(4)]	(8) Showerheads shall meet the minimum efficiency
8		standards set forth in California Code of Regulations,
9		Title 20, Section 1605.1, as amended; [and]
10	[(5)]	(9) Spray sprinkler bodies that are not specifically
11		excluded from the scope of the Environmental
12		Protection Agency's WaterSense Specification for Spray
13		Sprinkler Bodies, Version 1.0, shall include an
14		integral pressure regulator and shall meet the water
15		efficiency and performance criteria and other
16		requirements of that specification, as amended $[-]$;
17	(10)	Toilets, also known as water closets, and urinals,
18		other than those designed and marketed exclusively for
19		use at prisons or mental health facilities, shall meet
20		the standards shown in subparagraphs (A) to (D) when
21		tested in accordance with title 10 Code of Federal



1	Regu	lations Part 430, appendix T to subpart B				
2	"Uni	"Uniform Test Method for Measuring the Water				
3	Cons	Consumption of Water Closets and Urinals" and				
4	toil	ets shall pass the waste extraction test for water				
5	clos	ets (Section 7.9) of the American Society of				
6	Mech	anical Engineers (ASME) A112.19.2/CSA B45.1-2018:				
7	<u>(A)</u>	Wall-mounted urinals, except for trough-type				
8		urinals, shall have a maximum flush volume of				
9		0.125 gallons per flush;				
10	<u>(B)</u>	Floor-mounted urinals, except for trough-type				
11		urinals, shall have a maximum flush volume of 0.5				
12		gallons per flush;				
13	<u>(C)</u>	Toilets, except for dual-flush tank-type toilets,				
14		shall have a maximum flush volume of 1.28 gallons				
15		per flush; and				
16	<u>(D)</u>	Dual-flush tank-type toilets shall have a maximum				
17		dual-flush effective flush volume of 1.28 gallons				
18		per flush. As used in this subparagraph, "dual-				
19		flush effective flush volume" means the average				
20		flush volume of two reduced flushes and one full				
21		flush; and				



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1	(11)	Wate	r coolers included in the scope of the ENERGY STAR
2		Prog	ram Requirements Product Specification for Water
3		<u>Cool</u>	ers, Version 2.0, shall have on mode with no water
4		draw	energy consumption less than or equal to the
5		foll	owing values as measured in accordance with the
6		test	requirements of that program:
7		(A)	0.16 kilowatt-hours per day for cold-only units
8			and cook and cold units. As used in this
9			subparagraph, "cold-only units" means water
10			cooler units that dispense cold water only;
11		<u>(B)</u>	0.87 kilowatt-hours per day for storage-type hot
12			and cold units. As used in this subparagraph:
13			"Hot and cold units" means water coolers
14			that dispense hot and cold water.
15			"Storage-type" means water cooler units in
16			which thermally conditioned water is stored in a
17			tank in the water cooler and is available
18			instantaneously, including point-of-use, dry
19			storage compartment, and bottled water coolers;
20			and



1	<u>(C)</u>	0.18 kilowatt-hours per day for on-demand hot and
2		cold units. As used in this subparagraph:
3		"Hot and cold units" means water coolers
4		that dispense both hot and cold water.
5		"On-demand" means a water cooler unit in
6		which water is heated as it is requested, which
7		typically takes a few minutes to deliver.
8	[.(b) Whe	n adopting standards for appliances pursuant to
9	section 196-84	(a), the director shall set appliance efficiency
10	standards upon	a determination that increased efficiency
11	standards woul	d serve to promote energy or water conservation in
12	the State and	would be cost effective for consumers who purchase
13	and-use such n	ew products.]"
14	SECTION 6	. Section 196-86, Hawaii Revised Statutes, is
15	amended to rea	d as follows:
16	"[{]§196-	86[]] Implementation. (a) On or after
17	January 1, 202	1, no new computer or computer monitor, faucet,
18	high color ren	dering index fluorescent lamp, showerhead, or
19	spray sprinkle	r body may be sold or offered for sale, lease, or
20	rent in the St	ate unless the efficiency of the new product meets
21	or exceeds the	efficiency standards provided in section 196-85.



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1	(b) On or after January 1, 2025, no new air purifier,
2	electric vehicle supply equipment, portable electric spa,
3	residential ventilating fan, toilet, urinal, or water cooler may
4	be sold or offered for sale, lease, or rent in the State unless
5	the efficiency of the new product meets or exceeds the
6	efficiency standards provided in section 196-85.
7	[(b)] <u>(c)</u> One year after the date upon which the sale or
8	offering for sale of certain products becomes subject to the
9	requirements of [subsection] <u>subsections</u> (a) <u>and (b)</u> , [no such]
10	these products [may] shall not be installed for compensation in
11	the State unless the efficiency of the new product meets or
12	exceeds the efficiency standards provided in section 196-85."
13	SECTION 7. Statutory material to be repealed is bracketed
14	and stricken. New statutory material is underscored.
15	SECTION 8. This Act shall take effect upon its approval.
16	

INTRODUCED BY:

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2023-0613 SB HMSO

Report Title:

Minimum Efficiency Standards; Appliances; Chief Energy Officer; Hawaii State Energy Office

Description:

Allows the chief energy officer of the Hawaii state energy office to enforce minimum efficiency standards and adopt or amend efficiency standards. Sets minimum efficiency standards for air purifiers, electric vehicle supply equipment, portable electric spas, residential ventilating fans, toilets, urinals, and water coolers, effective 1/1/2025.

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

