
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.



1 The legislature also finds that expanding the list of
2 products requiring minimum efficiency standards can help Hawaii
3 save millions of dollars on utility bills annually and can offer
4 even more benefits for Hawaii residents, businesses, the
5 environment, and the economy as a whole. Adopting additional
6 minimum efficiency 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
16 products encompassed by this Act are equal in cost to
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;

5 (2) Regulate the minimum efficiency standards for electric
6 vehicle supply equipment, portable electric spas,
7 residential ventilating fans, toilets, urinals, and
8 water coolers; and

9 (3) Allow manufacturers to utilize the Home Ventilating
10 Institute's certified products directory certification
11 program to meet certain standards.

12 SECTION 2. Section 196-81, Hawaii Revised Statutes, is
13 amended as follows:

14 1. By adding nine new definitions to be appropriately
15 inserted and to read:

16 "Chief energy officer" means the chief energy officer of
17 the Hawaii state energy office.

18 "Electric vehicle supply equipment" means the conductors,
19 including the ungrounded, grounded, and equipment grounding
20 conductors; electric vehicle connectors; attachment plugs; and
21 all other fittings, devices, power outlets, or apparatuses



1 installed specifically for the purpose of delivering energy from
2 the premises wiring to the electric vehicle. "Electric vehicle
3 supply equipment" does not include conductors, connectors, and
4 fittings that are part of a vehicle.

5 "Plumbing fixture" means an exchangeable device that
6 connects to a plumbing system to deliver and drain away water
7 and waste.

8 "Portable electric spa" means a factory-built electric spa
9 or hot tub, which may include any combination of integral
10 controls, water heating, or water circulating equipment.

11 "Residential ventilating fan" means a ceiling or wall-
12 mounted fan, or remotely mounted in-line fan, designed to be
13 used in a bathroom or utility room for the purpose of moving air
14 from inside the building to the outdoors.

15 "Toilet" or "water closet" means a plumbing fixture that
16 includes a water-containing receptor that is designed to receive
17 liquid and solid human waste through an exposed integral trap
18 into a drainage system. "Toilet" or "water closet" includes but
19 is not limited to a dual-flush toilet.

20 "Trough-type urinal" means a urinal designed for
21 simultaneous use by two or more persons.



1 "Urinal" means a plumbing fixture that is designed to
2 receive only liquid body waste and conveys the waste through a
3 trap into a drainage system. "Urinal" includes but is not
4 limited to a trough-type urinal.

5 "Water cooler" means a freestanding device that consumes
6 energy in order to dispense cold water, room-temperature water,
7 or hot water, or any combination thereof. "Water cooler"
8 includes but is not limited to a storage-type water cooler and
9 an on-demand water cooler."

10 2. By amending the definition of "showerhead" to read:

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

15 3. By deleting the definitions of "department" and
16 "director".

17 [~~"Department" means the department of business, economic~~
18 ~~development, and tourism.~~

19 ~~"Director" means the director of business, economic~~
20 ~~development, and tourism."]~~



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

3 "~~§~~**196-83** **Rules.** The ~~[director]~~ chief energy officer
4 may adopt rules pursuant to chapter 91 to ~~[enforce]~~:

5 (1) Enforce the minimum efficiency standards ~~[for the~~
6 ~~types of new products]~~ set forth in section ~~[196-84.]~~
7 196-85; and

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



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

3 "(a) [~~Appliance~~] Minimum efficiency standards are
4 established under this part for the following [~~appliances,~~
5 products, if standards for these [~~appliances~~] products are not
6 preempted by federal law:

7 (1) Computers and computer monitors;

8 (2) Electric vehicle supply equipment;

9 [~~(2)~~] (3) Faucets;

10 [~~(3)~~] (4) High color rendering index fluorescent lamps;

11 (5) Portable electric spas;

12 (6) Residential ventilating fans;

13 [~~(4)~~] (7) Showerheads; [~~and~~]

14 [~~(5)~~] (8) Spray sprinkler bodies[~~-~~];

15 (9) Toilets;

16 (10) Urinals; and

17 (11) Water coolers."

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



1 "~~§196-85~~ ~~Appliance~~ Minimum efficiency standards.

2 ~~(a)~~ The following minimum efficiency standards shall apply to
3 products listed or incorporated in section 196-84:

4 (1) Computers and computer monitors shall meet the
5 requirements set forth in California Code of
6 Regulations, Title 20, Section 1605.3, as amended;

7 ~~(2)~~ Electric vehicle supply equipment included in the
8 scope of the ENERGY STAR Program Requirements Product
9 Specification for Electric Vehicle Supply Equipment,
10 Version 1.0, shall meet the certification criteria of
11 that specification;

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

15 ~~(3)~~ (4) High color rendering index fluorescent lamps
16 shall meet the minimum efficacy requirements contained
17 in ~~Section~~ title 10 Code of Federal Regulations
18 section 430.32(n) (4) ~~[of Title 10 of the Code of~~
19 ~~Federal Regulations]~~, as in effect on January 3, 2017,
20 as measured in accordance with ~~Appendix~~ title 10
21 Code of Federal Regulations part 430, appendix R to



1 ~~[Subpart]~~ subpart B ~~[of Part 430 of Title 10 of the~~
2 ~~Code of Federal Regulations]~~-"Uniform Test Method for
3 Measuring Average Lamp Efficacy (LE), Color Rendering
4 Index (CRI), and Correlated Color Temperature (CCT) of
5 Electric Lamps"-as amended;

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

9 (6) In-line residential ventilating fans shall have a fan
10 motor efficacy of no less than 2.8 cubic feet per
11 minute per watt. All other residential ventilating
12 fans shall have a fan motor efficacy of no less than
13 1.4 cubic feet per minute per watt for airflows less
14 than 90 cubic feet per minute and no less than 2.8
15 cubic feet per minute per watt for other airflows when
16 tested in accordance with Home Ventilation Institute
17 Publication 916 "HVI Airflow Test Procedure";

18 ~~[-(4)-]~~ (7) Showerheads shall meet the minimum efficiency
19 standards set forth in California Code of Regulations,
20 Title 20, Section 1605.1, as amended; ~~[and]~~



1 ~~(5)~~ (8) Spray sprinkler bodies that are not specifically
2 excluded from the scope of the Environmental
3 Protection Agency's WaterSense Specification for Spray
4 Sprinkler Bodies, Version 1.0, shall include an
5 integral pressure regulator and shall meet the water
6 efficiency and performance criteria and other
7 requirements of that specification, as amended~~(-)~~;

8 (9) Toilets, also known as water closets, and urinals,
9 other than those designed and marketed exclusively for
10 use at prisons or mental health facilities, shall meet
11 the standards shown in subparagraphs (A) to (D) when
12 tested in accordance with title 10 Code of Federal
13 Regulations Part 430, appendix T to subpart B --
14 "Uniform Test Method for Measuring the Water
15 Consumption of Water Closets and Urinals" -- and
16 toilets shall pass the waste extraction test for water
17 closets (Section 7.9) of the American Society of
18 Mechanical Engineers (ASME) A112.19.2/CSA B45.1-2018:

19 (A) Wall-mounted urinals, except for trough-type
20 urinals, shall have a maximum flush volume of
21 0.125 gallons per flush;



- 1 (B) Floor-mounted urinals, except for trough-type
2 urinals, shall have a maximum flush volume of 0.5
3 gallons per flush;
- 4 (C) Toilets, except for dual-flush tank-type toilets,
5 shall have a maximum flush volume of 1.28 gallons
6 per flush; and
- 7 (D) Dual-flush tank-type toilets shall have a maximum
8 dual-flush effective flush volume of 1.28 gallons
9 per flush. As used in this subparagraph, "dual-
10 flush effective flush volume" means the average
11 flush volume of two reduced flushes and one full
12 flush; and
- 13 (10) Water coolers included in the scope of the ENERGY STAR
14 Program Requirements Product Specification for Water
15 Coolers, Version 2.0, shall have an on mode with no
16 water draw energy consumption less than or equal to
17 the following values as measured in accordance with
18 the test requirements of that program:
- 19 (A) 0.16 kilowatt-hours per day for cold-only units
20 and cook and cold units. As used in this



1 subparagraph, "cold-only units" means water
2 cooler units that dispense cold water only;

3 (B) 0.87 kilowatt-hours per day for storage-type hot
4 and cold units. As used in this subparagraph:

5 "Hot and cold units" means water coolers
6 that dispense hot and cold water.

7 "Storage-type" means water cooler units in
8 which thermally conditioned water is stored in a
9 tank in the water cooler and is available
10 instantaneously, including point-of-use, dry
11 storage compartment, and bottled water coolers;
12 and

13 (C) 0.18 kilowatt-hours per day for on-demand hot and
14 cold units. As used in this subparagraph:

15 "Hot and cold units" means water coolers
16 that dispense both hot and cold water.

17 "On-demand" means a water cooler unit in
18 which water is heated as it is requested, which
19 typically takes a few minutes to deliver.

20 [~~(b) When adopting standards for appliances pursuant to~~
21 ~~section 196-84(a), the director shall set appliance efficiency~~



1 ~~standards upon a determination that increased efficiency~~
2 ~~standards would serve to promote energy or water conservation in~~
3 ~~the State and would be cost effective for consumers who purchase~~
4 ~~and use such new products.]"~~

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

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

14 (b) On or after January 1, 2025, no new electric vehicle
15 supply equipment, portable electric spa, residential ventilating
16 fan, toilet, urinal, or water cooler shall be sold or offered
17 for sale, lease, or rent in the State unless the efficiency of
18 the new product meets or exceeds the efficiency standards
19 provided in section 196-85.

20 [~~(b)~~] (c) One year after the date upon which the sale or
21 offering for sale of certain products becomes subject to the



1 requirements of [~~subsection~~] subsections (a) [~~, no such~~] and (b),
2 these products [~~may~~] shall not be installed for compensation in
3 the State unless the efficiency of the new product meets or
4 exceeds the efficiency standards provided in section 196-85."

5 SECTION 7. Section 196-88, Hawaii Revised Statutes, is
6 amended to read as follows:

7 "[~~§~~196-88[~~§~~] **Testing, certification, and labeling.**

8 Manufacturers shall test, certify, and label products meeting
9 the standards set forth in section 196-85 and may utilize
10 testing, certification, and labeling programs of other states
11 and federal agencies with similar standards, including the Home
12 Ventilating Institute's certified products directory
13 certification program, for purposes of compliance under this
14 part. Products listed in California's Modernized Appliance
15 Efficiency Database System shall be deemed to be in compliance
16 with this part."

17 SECTION 8. Statutory material to be repealed is bracketed
18 and stricken. New statutory material is underscored.

19 SECTION 9. This Act shall take effect on June 30, 3000.



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 electric vehicle supply equipment, portable electric spas, residential ventilating fans, toilets, urinals, and water coolers. Allows manufacturers to utilize the Home Ventilating Institute's certified products directory certification program to meet certain standards. Effective 6/30/3000. (HD1)

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