

1 AMENDMENT TO SENATE BILL 1380

2 AMENDMENT NO. _____. Amend Senate Bill 1380 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the
5 Minimum Energy Efficiency Standards Act.

6 Section 5. Purpose and findings.

7 (a) This Act provides for the establishment of minimum
8 efficiency standards for certain products sold or installed
9 in this State.

10 (b) The legislature finds that:

11 (1) Efficiency standards for certain products sold
12 or installed in this State assure consumers and
13 businesses that the products meet minimum efficiency
14 performance levels, thus saving money on utility bills.

15 (2) Such efficiency standards save energy and thus
16 reduce pollution and other environmental impacts
17 associated with the production, distribution, and use of
18 electricity and natural gas.

19 (3) Such efficiency standards can make electricity
20 systems more reliable by reducing the strain on the
21 electricity grid during peak demand periods. Furthermore,
22 improved energy efficiency can reduce or delay the need

1 for new power plants, power transmission lines, and power
2 distribution system upgrades.

3 (4) Energy efficiency standards contribute to the
4 economy of this State by enabling consumers and business
5 owners to spend less on energy, leaving more for the
6 purchase of local goods and services.

7 Section 10. Definitions. As used in this Act:

8 "Agency" means the Illinois Environmental Protection
9 Agency.

10 "Board" means the Illinois Pollution Control Board.

11 "Ceiling fan" means a non-portable device that is
12 suspended from a ceiling for circulating air via the rotation
13 of fan blades.

14 "Ceiling fan light kit" means the equipment used to
15 provide light from a ceiling fan. This equipment can be (i)
16 integral such that the ceiling fan light kit is hardwired to
17 the ceiling fan or (ii) attachable such that the ceiling fan
18 light kit is not, at the time of sale, physically attached to
19 the fan. Attachable ceiling fan light kits might be included
20 inside the ceiling fan package at the time of sale or sold
21 separately for subsequent attachment to the fan.

22 "Commercial clothes washer" means a soft mount
23 front-loading or soft mount top-loading clothes washer that
24 is designed for use in (i) applications where the occupants
25 of more than one household will be using it, such as in
26 multi-family housing common areas and coin laundries or (ii)
27 other commercial applications, if the clothes container
28 compartment is no greater than 3.5 cubic feet for
29 horizontal-axis clothes washers, or no greater than 4.0 cubic
30 feet for vertical-axis clothes washers.

31 "Commercial refrigerators and freezers" means reach-in
32 cabinets, pass-through cabinets, roll-in cabinets and
33 roll-through cabinets that have less than 85 cubic feet of

1 capacity and that are not walk-in models or consumer products
2 regulated under the National Appliance Energy Conservation
3 Act of 1987.

4 "Director" means the Director of the Illinois
5 Environmental Protection Agency.

6 "Illuminated exit sign" means an internally-illuminated
7 sign that is designed to be permanently fixed in place and
8 used to identify an exit; a light source illuminates the sign
9 or letters from within, and the background of the exit sign
10 is not transparent.

11 "Large packaged air-conditioning equipment" means
12 packaged air-conditioning equipment having 240,000 Btu/hour
13 or more of cooling capacity.

14 "Low voltage dry-type distribution transformer" means a
15 distribution transformer that (i) has an input voltage of 600
16 volts or less; (ii) is between 14 kVa and 2,501 kVa in size;
17 (iii) is air-cooled; and (iv) does not use oil as a coolant.

18 "Packaged air-conditioning equipment" means
19 air-conditioning equipment that is built as a package and
20 shipped as a whole to end-user sites.

21 "Pass-through cabinet" means a commercial refrigerator or
22 commercial freezer with hinged or sliding doors on both the
23 front and rear of the refrigerator or freezer.

24 "Reach-in cabinet" means a commercial refrigerator,
25 commercial refrigerator-freezer, or commercial freezer with
26 hinged or sliding doors or lids, but excluding roll-in or
27 roll-through cabinets and pass through cabinets.

28 "Roll-in or roll-through cabinet" means a commercial
29 refrigerator or commercial freezer with hinged or sliding
30 doors that allows wheeled racks of product to be rolled into
31 or through the refrigerator or freezer.

32 "Torchiere lighting fixture" means a portable electric
33 lighting fixture with a reflector bowl giving light directed
34 upward so as to give indirect illumination.

1 "Traffic signal module" means a standard 8-inch (200mm)
2 or 12-inch (300mm) round traffic signal indication. It
3 consists of a light source, lens, and all parts necessary for
4 operation and communicates movement messages to drivers
5 through red, amber, and green colors. Arrow modules in the
6 same colors are used to indicate turning movements.

7 "Transformer" means a device consisting essentially of 2
8 or more coils of insulated wire that transfers alternating
9 current by electromagnetic induction from one coil to another
10 in order to change the original voltage or current value.

11 "Unit heater" means a self-contained fan-type heater that
12 uses natural gas, propane, or fuel oil and that is designed
13 to be installed within a heated space. Unit heaters include
14 an apparatus or appliance to supply heat and a fan for
15 circulating air over a heat exchange surface, all enclosed in
16 a common casing. Unit heaters do not include warm air
17 furnaces as defined under the federal Energy Policy Act of
18 1992.

19 Section 15. Scope.

20 (a) The provisions of this Act apply to the testing,
21 certification, and enforcement of efficiency standards for
22 the following types of new products sold, offered for sale,
23 or installed in this State: (1) ceiling fans and ceiling fan
24 light kits; (2) commercial clothes washers; (3) commercial
25 refrigerators and freezers; (4) illuminated exit signs; (5)
26 large packaged air-conditioning equipment; (6) low voltage
27 dry-type distribution transformers; (7) torchiere lighting
28 fixtures; (8) traffic signal modules; (9) unit heaters; and
29 (10) such other products as may be designated by the Director
30 in accordance with Section 30.

31 (b) The provisions of this Act do not apply to (1) new
32 products manufactured in this State and sold outside this
33 State, (2) new products manufactured outside this State and

1 sold at wholesale inside this State for final retail sale and
2 installation outside this State, (3) products installed in
3 mobile manufactured homes at the time of construction, or (4)
4 products designed expressly for installation and use in
5 recreational vehicles.

6 Section 20. Efficiency standards. The initial minimum
7 efficiency standards for the types of new products set forth
8 in Section 15 are as follows:

9 (1) Ceiling fans and ceiling fan light kits shall
10 meet the Tier 1 criteria of the product specification
11 (Version 1.1) of the "Energy Star Program Requirements
12 for Residential Ceiling Fans" developed by the U.S.
13 Environmental Protection Agency.

14 (2) Commercial clothes washers shall meet the
15 energy efficiency requirements for residential clothes
16 washers in Energy Conservation Program for Consumer
17 Products: Clothes Washer Energy Conservation Standards,
18 66 Fed. Reg. 3314 (January 12, 2001) (to be codified at
19 10 CFR Part 430).

20 (3) Commercial refrigerators and freezers shall
21 meet the August 1, 2004 requirements shown in Table A-6
22 of section 1605.3 of the California Code of Regulations,
23 Title 20: Division 2, Chapter 4, Article 4: Appliance
24 Efficiency Regulations that took effect on November 27,
25 2002.

26 (4) Illuminated exit signs shall meet the product
27 specification (Version 2.0) of the "Energy Star Program
28 Requirements for Exit Signs" developed by the U.S.
29 Environmental Protection Agency.

30 (5) Large packaged air-conditioning equipment shall
31 meet the Tier 2 efficiency levels of the "Minimum
32 Equipment Efficiencies for Unitary Commercial Air
33 Conditioners" and "Minimum Equipment Efficiencies for

1 Heat Pumps" developed by the Consortium for Energy
2 Efficiency, Boston, MA, and that took effect on July 1,
3 2002.

4 (6) Low voltage dry-type distribution transformers
5 shall meet or exceed the energy efficiency values shown
6 in Table 4-2 of National Electrical Manufacturers
7 Association Standard TP-1-2002.

8 (7) Torchiere lighting fixtures shall not consume
9 more than 190 watts and shall not be capable of operating
10 with lamps that total more than 190 watts.

11 (8) Traffic signal modules shall meet the product
12 specification of the "Energy Star Program Requirements
13 for Traffic Signals" developed by the U.S. Environmental
14 Protection Agency and that took effect in February 2001.

15 (9) Unit heaters shall not have pilot lights and
16 shall have either power venting or an automatic flue
17 damper.

18 The initial minimum efficiency standards provided in this
19 Section are subject to change by Board rule in accordance
20 with Section 30.

21 Section 25. Implementation.

22 (a) Beginning January 1, 2005, no new product of a type
23 subject to this Act may be sold or offered for sale in this
24 State unless the efficiency of the new product meets or
25 exceeds the applicable minimum efficiency standards.

26 (b) Beginning January 1, 2006, no new product of a type
27 subject to this Act may be installed in this State unless the
28 efficiency of the new product meets or exceeds the applicable
29 minimum efficiency standards.

30 Section 30. New and revised standards; waiver.

31 (a) The Agency, after consultation with the Department
32 of Commerce and Community Affairs, may propose to the Board

1 (i) increased efficiency standards to replace any of the
2 standards listed in Section 20, and (ii) new minimum
3 efficiency standards for new products not specifically listed
4 in Section 15. In proposing any new or increased efficiency
5 standards, the Agency shall base that proposal upon a
6 determination that the new or increased efficiency standards
7 would serve to promote energy conservation in this State and
8 would be cost effective for consumers who purchase and use
9 the affected new products.

10 (b) The Board shall consider any new or increased
11 efficiency standards proposed by the Agency, and shall adopt
12 by rule those standards that it finds to be appropriate. In
13 adopting any new or increased efficiency standard, the Board
14 shall consider whether the new or increased efficiency
15 standard would serve to promote energy conservation in this
16 State and would be cost effective for consumers who purchase
17 and use the affected new products. New or increased
18 efficiency standards shall take effect no sooner than one
19 year following the adoption of the rule providing for such
20 new or increased efficiency standards.

21 (c) The Director may apply for a waiver of federal
22 preemption in accordance with federal procedures for those
23 products regulated by the federal government.

24 Section 35. Testing, certification, labeling, and
25 enforcement.

26 (a) The manufacturers of new products subject to this
27 Act shall cause samples of such products to be tested in
28 accordance with the appropriate test procedures. With
29 respect to efficiency standards adopted by reference under
30 Section 20, the appropriate test methods shall be those
31 specified in the adopted standards. Board rules providing
32 for new or increased minimum efficiency standards shall
33 specify the appropriate test methods, which shall be test

1 methods approved by the U.S. Department of Energy or, in the
2 absence of such test methods, other appropriate nationally
3 recognized test methods.

4 (b) Manufacturers of new products subject to this Act
5 shall certify to the Director that such products are in
6 compliance with the provisions of this Act. The Director may
7 adopt procedures and requirements governing the certification
8 of such products and may work in coordination with the
9 certification programs of other states. With respect to a
10 product for which the Illinois efficiency standards and
11 labelling requirements are the same as those of the federal
12 government or another state, the Agency may accept as
13 sufficient for compliance with this subsection the
14 manufacturer's certification to the federal government or
15 that other state, whichever is applicable, that the product
16 complies with those standards and requirements.

17 (c) Manufacturers of new products subject to this Act
18 shall identify each such product offered for sale or
19 installation in this State as in compliance with the
20 provisions of this Act by means of a mark, label, or tag on
21 the product and packaging at the time of sale or
22 installation. The Director shall propose and the Board shall
23 adopt rules governing the identification of such products and
24 packaging and may work in coordination with the labeling
25 programs of other states.

26 (d) The Director may cause investigations to be made of
27 complaints received concerning violations of this Act and may
28 report the results of such investigations to the Attorney
29 General. The Attorney General may institute proceedings to
30 enforce the provisions of this Act.

31 (e) A manufacturer, distributor, retailer, or installer
32 who violates any provision of this Act shall be issued a
33 warning by the Director for the first violation. Repeat
34 violations shall be subject to a civil penalty of not more

1 than \$250. Each violation shall constitute a separate
2 offense, and each day that a violation continues shall
3 constitute a separate offense. Penalties assessed under this
4 subsection are in addition to costs assessed under subsection
5 (d).

6 (f) The Agency may propose and the Board may adopt any
7 rules that are necessary to ensure the proper implementation
8 and enforcement of this Act.

9 Section 97. Severability. The provisions of this Act
10 are severable under Section 1.31 of the Statute on Statutes.

11 Section 99. Effective date. This Act takes effect upon
12 becoming law."