

First Regular Session
Sixty-fifth General Assembly
STATE OF COLORADO

REENGROSSED

*This Version Includes All Amendments
Adopted in the House of Introduction*

LLS NO. 05-0236.01 Christy Chase

HOUSE BILL 05-1162

HOUSE SPONSORSHIP

Borodkin,

SENATE SPONSORSHIP

Gordon,

House Committees

Business Affairs and Labor

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING ENERGY EFFICIENCY STANDARDS FOR SPECIFIED**
102 **DEVICES.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

Declares that the use of more energy-efficient appliances can save money, conserve water, reduce pollution, avoid utility infrastructure costs, and benefit local economies.

Adopts statutory standards for the energy efficiency of specified household appliances, commercial equipment, and traffic signals sold in Colorado on or after January 1, 2008, or installed in Colorado on or after January 1, 2009.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.

Capital letters indicate new material to be added to existing statute.

Dashes through the words indicate deletions from existing statute.

HOUSE
3rd Reading Unamended
February 14, 2005

HOUSE
Amended 2nd Reading
February 11, 2005

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** 6-7-101, Colorado Revised Statutes, is amended to
3 read:

4 **6-7-101. Short title.** This article shall be known and may be cited
5 as the ~~"Residential Building "~~"COLORADO Energy Conservation Act". ~~of~~
6 ~~1977"~~.

7 **SECTION 2.** 6-7-102, Colorado Revised Statutes, is amended to
8 read:

9 **6-7-102. Legislative declaration.** (1) The general assembly
10 hereby finds and declares that:

11 (a) The energy resources of this state and the nation are essential
12 to the preservation of the public health, welfare, and safety and to the
13 maintenance of a healthy economy;

14 (b) The conservation and efficient use of said energy resources are
15 necessary if the quality of life in this state is to be maintained and
16 continued;

17 (c) The purpose of this article is to provide minimum uniform
18 statewide ~~insulation~~ standards to achieve energy conservation in the
19 construction and renovation of residential buildings AND IN THE
20 OPERATION OF CERTAIN APPLIANCES USED IN RESIDENTIAL AND
21 COMMERCIAL BUILDINGS, and to encourage energy conservation ~~by other~~
22 ~~means in the construction and renovation of residential buildings~~
23 GENERALLY, recognizing that such energy conservation ~~by insulation or~~
24 ~~other means~~ must be life cycle cost-effective in order to ~~minimize the~~
25 ~~adverse impact on residential life-styles and to continue to strive to make~~
26 ~~reasonably priced housing available to all residents of this state~~ MAXIMIZE

1 THE ECONOMIC BENEFITS;

2 (d) The general assembly recognizes the technological
3 improvements developed by the home-building industry AND
4 MANUFACTURING INDUSTRIES in connection with energy conservation for
5 residential buildings and wishes to encourage continued technological
6 improvement by the home-building industry in order to exceed the
7 insulation energy conservation standards contained in this article;

8 (e) It is the further purpose to ~~establish a process which will result~~
9 ~~in the development of residential energy conserving performance~~
10 ~~standards by September 1, 1977. Such standards shall consider~~ PROMOTE
11 CONSUMER AWARENESS OF THE NEED FOR EFFICIENCY IN all uses of energy
12 generated by fossil fuels used within a dwelling, including energy used
13 for lighting, cooking, appliances, maintenance of air temperature, and
14 heating water and the energy lost through the building envelope and
15 exhaust pipes. It is consistent with public policy to encourage the
16 rehabilitation, preservation, and restoration of buildings built before
17 September 1, 1977 IN ACCORDANCE WITH THE MOST RECENT STANDARDS
18 WHENEVER PRACTICABLE.

19 (f) ENERGY EFFICIENCY STANDARDS, AS SET FORTH IN PART 2 OF
20 THIS ARTICLE, ARE OF PARTICULAR BENEFIT IN ACHIEVING THESE PURPOSES
21 BECAUSE:

22 (I) SUCH STANDARDS ASSURE CONSUMERS AND BUSINESSES THAT
23 THE APPLIANCES THEY PURCHASE WILL PERFORM EFFICIENTLY, SAVING
24 THEM MONEY ON UTILITY BILLS;

25 (II) THE WIDESPREAD USE OF MORE EFFICIENT APPLIANCES
26 REDUCES AIR POLLUTION, WATER CONSUMPTION ASSOCIATED WITH
27 ELECTRICAL GENERATION, AND OTHER ENVIRONMENTAL IMPACTS

1 ASSOCIATED WITH THE PRODUCTION, DISTRIBUTION, AND USE OF
2 ELECTRICITY AND NATURAL GAS;

3 (III) MORE EFFICIENT APPLIANCES CAN MAKE ELECTRICAL
4 SYSTEMS MORE RELIABLE BY REDUCING THE STRAIN ON A UTILITY'S
5 DISTRIBUTION GRID DURING PEAK DEMAND PERIODS, ULTIMATELY
6 REDUCING THE NEED FOR ADDITIONAL POWER PLANTS, TRANSMISSION
7 LINES, AND OTHER INFRASTRUCTURE; AND

8 (IV) ENERGY EFFICIENCY STANDARDS CONTRIBUTE TO THE STATE'S
9 ECONOMY BY ENABLING CONSUMERS AND BUSINESS OWNERS TO SPEND
10 LESS ON ENERGY, LEAVING MORE FOR THE PURCHASE OF LOCAL GOODS
11 AND SERVICES.

12 **SECTION 3.** Article 7 of title 6, Colorado Revised Statutes, is
13 amended BY THE ADDITION OF A NEW PART to read:

14 PART 2

15 ENERGY EFFICIENCY STANDARDS

16 **6-7-201. Legislative declaration.** THE GENERAL ASSEMBLY
17 FURTHER FINDS THAT, WITH THE APPROVAL OF AMENDMENT THIRTY-SEVEN
18 BY COLORADO VOTERS AT THE 2004 STATEWIDE GENERAL ELECTION,
19 WHICH ESTABLISHES RENEWABLE ENERGY STANDARDS FOR LARGE
20 PROVIDERS OF RETAIL ELECTRIC SERVICE, COLORADO CITIZENS CONSIDER
21 THE CONSERVATION AND EFFICIENT USE OF ENERGY IMPORTANT FOR THE
22 ECONOMIC AND ENVIRONMENTAL WELFARE AND DEVELOPMENT OF
23 COLORADO. IN FURTHERANCE OF THE IMPORTANT GOALS OF ENERGY
24 CONSERVATION AND EFFICIENCY, THE GENERAL ASSEMBLY IS ENACTING
25 THIS PART 2 TO ESTABLISH ENERGY EFFICIENCY STANDARDS APPLICABLE
26 TO CERTAIN COMMERCIAL AND CONSUMER PRODUCTS AND APPLIANCES.

27 **6-7-202. Definitions.** AS USED IN THIS PART 2, UNLESS THE

1 CONTEXT OTHERWISE REQUIRES:

2 (1) "AUTOMATIC COMMERCIAL ICE-MAKER" MEANS A
3 FACTORY-MADE ASSEMBLY THAT IS SHIPPED IN ONE OR MORE PACKAGES,
4 CONSISTS OF A CONDENSING UNIT AND ICE-MAKING SECTION OPERATING AS
5 AN INTEGRATED UNIT, MAKES AND HARVESTS ICE CUBES, AND STORES OR
6 DISPENSES ICE. THE TERM INCLUDES MACHINES WITH CAPACITIES
7 BETWEEN FIFTY AND TWO THOUSAND FIVE HUNDRED POUNDS PER
8 TWENTY-FOUR-HOUR PERIOD.

9 (2) "BALLAST" MEANS A DEVICE USED WITH AN ELECTRIC
10 DISCHARGE LAMP TO OBTAIN NECESSARY CIRCUIT CONDITIONS, INCLUDING
11 VOLTAGE, CURRENT, AND WAVE FORM, FOR STARTING AND OPERATING THE
12 LAMP.

13 (3) "COMMERCIAL", IN REFERENCE TO AN APPLIANCE, MEANS
14 DESIGNED FOR USE IN APPLICATIONS WHERE THE OCCUPANTS OF MORE
15 THAN ONE HOUSEHOLD WILL BE USING THE APPLIANCE OR WHERE IT WILL
16 BE USED AS PART OF A PROFIT-MAKING ENTERPRISE. EXAMPLES OF SUCH
17 APPLICATIONS INCLUDE, WITHOUT LIMITATION, A GROCERY STORE, A COIN
18 LAUNDRY, AND THE COMMON AREA OF AN APARTMENT BUILDING OR OTHER
19 MULTIFAMILY DWELLING.

20 (4) "COMMERCIAL CLOTHES WASHER" MEANS A SOFT MOUNT
21 HORIZONTAL- OR VERTICAL-AXIS CLOTHES WASHER THAT:

22 (a) HAS A CLOTHES CONTAINER COMPARTMENT NO GREATER THAN
23 THREE AND ONE-HALF CUBIC FEET IN THE CASE OF A HORIZONTAL-AXIS
24 PRODUCT AND NO GREATER THAN FOUR CUBIC FEET IN THE CASE OF A
25 VERTICAL-AXIS PRODUCT; AND

26 (b) IS DESIGNED FOR USE BY MORE THAN ONE HOUSEHOLD, SUCH
27 AS IN MULTI-FAMILY HOUSING, APARTMENTS, OR COIN LAUNDRIES.

1 (5) "COMMERCIAL PRE-RINSE SPRAY VALVE" MEANS A HAND-HELD
2 DEVICE DESIGNED TO SPRAY WATER ON DISHES, FLATWARE, AND OTHER
3 FOOD SERVICE ITEMS FOR THE PURPOSE OF REMOVING FOOD RESIDUE PRIOR
4 TO CLEANING.

5 (6) (a) "COMMERCIAL REFRIGERATOR, FREEZER, AND
6 REFRIGERATOR-FREEZER" MEANS SELF-CONTAINED REFRIGERATION
7 EQUIPMENT THAT:

8 (I) IS NOT A CONSUMER PRODUCT REGULATED PURSUANT TO 42
9 U.S.C. SEC. 6291, ET SEQ.;

10 (II) OPERATES AT A CHILLED, FROZEN, COMBINATION CHILLED AND
11 FROZEN, OR VARIABLE TEMPERATURE FOR THE PURPOSE OF STORING OR
12 MERCHANDISING FOOD, BEVERAGES, OR ICE;

13 (III) MAY HAVE TRANSPARENT OR SOLID HINGED DOORS, SLIDING
14 DOORS, OR A COMBINATION OF HINGED AND SLIDING DOORS; AND

15 (IV) INCORPORATES MOST COMPONENTS INVOLVED IN THE
16 VAPOR-COMPRESSION CYCLE AND THE REFRIGERATED COMPARTMENT IN
17 A SINGLE CABINET.

18 (b) THE TERM DOES NOT INCLUDE:

19 (I) UNITS WITH EIGHTY-FIVE CUBIC FEET OF CAPACITY OR
20 GREATER;

21 (II) WALK-IN MODELS;

22 (III) UNITS WITH NO DOORS; AND

23 (IV) FREEZERS SPECIFICALLY DESIGNED FOR ICE CREAM.

24 (7) "DIGITAL TELEVISION ADAPTER" MEANS AN ELECTRONIC
25 PRODUCT THE SOLE PURPOSE OF WHICH IS THE CONVERSION OF DIGITAL
26 VIDEO TERRESTRIAL BROADCAST SIGNALS TO ANALOG NTSC VIDEO
27 SIGNALS FOR USE BY AN ANALOG DEVICE SUCH AS A TELEVISION. THE

1 TERM DOES NOT INCLUDE CABLE OR SATELLITE TELEVISION SET-TOP
2 BOXES.

3 (8) "HIGH-INTENSITY DISCHARGE LAMP" MEANS A LAMP IN WHICH
4 LIGHT IS PRODUCED BY THE PASSAGE OF AN ELECTRIC CURRENT THROUGH
5 A VAPOR OR GAS, THE LIGHT-PRODUCING ARC IS STABILIZED BY BULB WALL
6 TEMPERATURE, AND THE ARC TUBE HAS A BULB WALL LOADING IN EXCESS
7 OF THREE WATTS PER SQUARE CENTIMETER.

8 (9) "ILLUMINATED EXIT SIGN" MEANS AN INTERNALLY
9 ILLUMINATED SIGN THAT:

10 (a) IS DESIGNED TO BE PERMANENTLY INSTALLED WITHIN A
11 BUILDING TO IDENTIFY AN EXIT DOOR; AND

12 (b) CONSISTS OF AN ELECTRICALLY POWERED INTEGRAL LIGHT
13 SOURCE THAT ILLUMINATES THE LEGEND "EXIT" AND ANY DIRECTIONAL
14 INDICATORS AND THAT PROVIDES CONTRAST BETWEEN THE LEGEND, ANY
15 DIRECTIONAL INDICATORS, AND THE BACKGROUND.

16 (10) "LARGE PACKAGED AIR CONDITIONING EQUIPMENT" MEANS
17 ELECTRICALLY OPERATED, AIR-COOLED AIR CONDITIONING AND AIR
18 CONDITIONING HEAT PUMP EQUIPMENT THAT:

19 (a) HAS COOLING CAPACITY OF AT LEAST TWO HUNDRED FORTY
20 THOUSAND BTU PER HOUR BUT LESS THAN SEVEN HUNDRED SIXTY
21 THOUSAND BTU PER HOUR; AND

22 (b) IS BUILT AND SHIPPED AS A PACKAGE TO THE END USER'S SITE
23 FOR INSTALLATION AT THE SAME TIME.

24 (11) "LOW-VOLTAGE, DRY-TYPE DISTRIBUTION TRANSFORMER"
25 MEANS A DISTRIBUTION TRANSFORMER THAT HAS AN INPUT VOLTAGE OF
26 SIX HUNDRED VOLTS OR LESS, IS COOLED PRIMARILY BY AIR RATHER THAN
27 OIL OR OTHER LIQUID COOLANT, AND IS RATED FOR OPERATION AT A

1 FREQUENCY OF SIXTY HERTZ.

2 (12) "METAL HALIDE LAMP" MEANS A HIGH-INTENSITY DISCHARGE
3 LAMP IN WHICH THE MAJOR PORTION OF THE LIGHT IS PRODUCED BY
4 RADIATION OF METAL HALIDES AND THEIR PRODUCTS OF DISSOCIATION,
5 WHICH MAY BE IN COMBINATION WITH METALLIC VAPORS.

6 (13) "METAL HALIDE LAMP FIXTURE" MEANS A LIGHT FIXTURE
7 DESIGNED TO BE OPERATED WITH A METAL HALIDE LAMP AND A BALLAST
8 FOR A METAL HALIDE LAMP.

9 (14) "PROBE-START METAL HALIDE BALLAST" MEANS A BALLAST
10 USED TO OPERATE METAL HALIDE LAMPS THAT DOES NOT CONTAIN AN
11 IGNITOR AND INSTEAD STARTS LAMPS BY USING A THIRD STARTING
12 ELECTRODE PROBE IN THE ARC TUBE.

13 (15) "PULLDOWN REFRIGERATOR" MEANS A COMMERCIAL
14 REFRIGERATOR SPECIFICALLY DESIGNED TO RAPIDLY REDUCE ALL
15 INTEGRATED PRODUCT TEMPERATURES FROM NINETY DEGREES
16 FAHRENHEIT TO THIRTY-EIGHT DEGREES FAHRENHEIT OVER A
17 TWELVE-HOUR PERIOD WHEN FULLY LOADED WITH BEVERAGE
18 CONTAINERS.

19 (16) "SINGLE-VOLTAGE EXTERNAL AC TO DC POWER SUPPLY"
20 MEANS A DEVICE THAT:

21 (a) IS DESIGNED TO CONVERT LINE VOLTAGE AC INPUT INTO LOWER
22 VOLTAGE DC OUTPUT;

23 (b) IS ABLE TO CONVERT TO ONLY ONE DC OUTPUT VOLTAGE AT A
24 TIME;

25 (c) IS SOLD OR INTENDED TO BE USED WITH A SEPARATE END-USE
26 PRODUCT THAT CONSTITUTES THE PRIMARY POWER LOAD;

27 (d) IS CONTAINED WITHIN A SEPARATE PHYSICAL ENCLOSURE FROM

1 THE END-USE PRODUCT;

2 (e) IS CONNECTED TO THE END-USE PRODUCT BY WAY OF A
3 REMOVABLE OR HARD-WIRED MALE/FEMALE ELECTRICAL CONNECTION,
4 CABLE, CORD, OR OTHER WIRING;

5 (f) DOES NOT HAVE BATTERIES OR BATTERY PACKS THAT
6 PHYSICALLY ATTACH DIRECTLY TO THE POWER SUPPLY UNIT, INCLUDING
7 REMOVABLE BATTERIES OR BATTERY PACKS;

8 (g) DOES NOT HAVE:

9 (I) A BATTERY CHEMISTRY OR TYPE SELECTOR SWITCH AND
10 INDICATOR LIGHT; OR

11 (II) A BATTERY CHEMISTRY OR TYPE SELECTOR SWITCH AND A
12 STATE OF CHARGE METER; AND

13 (h) HAS A NAMEPLATE OUTPUT POWER NO GREATER THAN TWO
14 HUNDRED FIFTY WATTS.

15 (17) "STATE-REGULATED INCANDESCENT REFLECTOR LAMP"
16 MEANS A LAMP THAT:

17 (a) IS NOT COLORED OR DESIGNED FOR ROUGH OR VIBRATION
18 SERVICE APPLICATIONS;

19 (b) HAS AN INNER REFLECTIVE COATING ON THE OUTER BULB TO
20 DIRECT THE LIGHT, AN E26 MEDIUM SCREW BASE, AND A RATED VOLTAGE
21 OR VOLTAGE RANGE THAT LIES AT LEAST PARTIALLY WITHIN ONE HUNDRED
22 FIFTEEN AND ONE HUNDRED THIRTY VOLTS;

23 (c) (I) HAS A BULGED REFLECTOR OR ELLIPTICAL REFLECTOR
24 SHAPE WITH A DIAMETER OF AT LEAST TWO AND ONE-QUARTER INCHES; OR

25 (II) HAS A REFLECTOR, PARABOLIC ALUMINIZED REFLECTOR, OR
26 SIMILAR BULB SHAPE WITH A DIAMETER OF BETWEEN TWO AND
27 ONE-QUARTER AND TWO AND THREE-QUARTER INCHES; AND

1 (d) IS NOT A FIFTY WATT ELLIPTICAL REFLECTOR (ER) LAMP.

2 (18) "SWIMMING POOL PUMP MOTOR" MEANS A PUMP AND MOTOR
3 COMBINATION USED TO CIRCULATE AND FILTER SWIMMING POOL WATER IN
4 A RESIDENTIAL SWIMMING POOL.

5 (19) "TORCHIERE FIXTURE" MEANS A PORTABLE ELECTRIC
6 LIGHTING FIXTURE WITH A REFLECTIVE BOWL THAT DIRECTS LIGHT
7 UPWARD SO AS TO PROVIDE INDIRECT ILLUMINATION TO A ROOM. THE
8 TERM MAY ALSO INCLUDE A DOWNWARD-DIRECTED LAMP OF SIMILAR
9 DESIGN.

10 (20) "TRAFFIC SIGNAL" MEANS A DEVICE CONTAINING ONE OR
11 MORE TRAFFIC SIGNAL MODULES AND PLACED ON OR NEAR A ROADWAY TO
12 REGULATE TRAFFIC USING PRESCRIBED SYMBOLS AND SEQUENCES OF RED,
13 AMBER, AND GREEN LIGHT.

14 (21) "TRAFFIC SIGNAL MODULE" MEANS A STANDARD EIGHT-INCH-
15 OR TWELVE-INCH-DIAMETER ROUND TRAFFIC SIGNAL INDICATOR
16 CONSISTING OF A LIGHT SOURCE, LENS, AND ALL PARTS NECESSARY FOR
17 OPERATION.

18 (22) "TRANSFORMER" MEANS A DEVICE CONTAINING TWO OR MORE
19 COILS OF INSULATED WIRE AND DESIGNED TO TRANSFER ALTERNATING
20 CURRENT BY ELECTROMAGNETIC INDUCTION FROM ONE COIL TO ANOTHER
21 WHILE CHANGING THE ORIGINAL VOLTAGE OR CURRENT VALUE TO A
22 DIFFERENT VALUE; EXCEPT THAT, FOR PURPOSES OF THIS PART 2, THE TERM
23 DOES NOT INCLUDE:

24 (a) TRANSFORMERS WITH MULTIPLE VOLTAGE TAPS AND WITH THE
25 HIGHEST VOLTAGE TAP EQUALING AT LEAST TWENTY PERCENT MORE THAN
26 THE LOWEST VOLTAGE TAP; AND

27 (b) DRIVE TRANSFORMERS, RECTIFIER TRANSFORMERS,

1 AUTO-TRANSFORMERS, UNINTERRUPTIBLE POWER SYSTEM TRANSFORMERS,
2 IMPEDANCE TRANSFORMERS, REGULATING TRANSFORMERS, SEALED AND
3 NONVENTILATED TRANSFORMERS, TESTING TRANSFORMERS, OR ANY
4 OTHER TRANSFORMER THAT IS DESIGNED TO BE USED IN A
5 SPECIAL-PURPOSE APPLICATION AND IS UNLIKELY TO BE USED IN
6 GENERAL-PURPOSE APPLICATIONS.

7 (23) "UNIT HEATER" MEANS A SELF-CONTAINED, VENTED,
8 FAN-TYPE COMMERCIAL SPACE HEATER THAT USES NATURAL GAS OR
9 PROPANE AND IS DESIGNED TO BE INSTALLED WITHOUT DUCTS WITHIN A
10 HEATED SPACE. THE TERM DOES NOT INCLUDE ANY PRODUCT COVERED BY
11 FEDERAL STANDARDS ESTABLISHED PURSUANT TO 42 U.S.C. SEC. 6291 OR
12 A PRODUCT THAT IS A DIRECT-VENT, FORCED-FLUE HEATER WITH A
13 SEALED-COMBUSTION BURNER.

14 **6-7-203. Complying products - sale - installation - certification**
15 **- exceptions.** (1) (a) UNLESS EXEMPTED UNDER SUBSECTION (3) OF THIS
16 SECTION, AND EXCEPT AS PROVIDED IN PARAGRAPH (b) OF THIS
17 SUBSECTION (1), NEW PRODUCTS THAT DO NOT MEET OR EXCEED THE
18 APPLICABLE STANDARDS SET FORTH IN THIS PART 2:

19 (I) SHALL NOT BE SOLD IN COLORADO ON OR AFTER JANUARY 1,
20 2008; AND

21 (II) SHALL NOT BE INSTALLED IN COLORADO ON OR AFTER
22 JANUARY 1, 2009.

23 (b) NEW COMMERCIAL REFRIGERATORS AND FREEZERS AND NEW
24 LARGE PACKAGED AIR CONDITIONING EQUIPMENT THAT DO NOT MEET THE
25 APPLICABLE STANDARDS SET FORTH IN THIS PART 2:

26 (I) SHALL NOT BE SOLD IN COLORADO ON OR AFTER JANUARY 1,
27 2010; AND

1 (II) SHALL NOT BE INSTALLED IN COLORADO ON OR AFTER
2 JANUARY 1, 2011.

3 (2) A MANUFACTURER OF A PRODUCT SUBJECT TO THE
4 REQUIREMENTS OF THIS PART 2 SHALL TEST SAMPLES OF THE PRODUCT,
5 WHEN NECESSARY, TO DETERMINE COMPLIANCE WITH THE APPLICABLE
6 STANDARDS FOR THE PRODUCT AS SPECIFIED IN THIS PART 2. A
7 MANUFACTURER SHALL CERTIFY IN WRITING TO THE ATTORNEY GENERAL
8 THAT THE PRODUCT SOLD IN COLORADO MEETS THE EFFICIENCY
9 STANDARDS APPLICABLE TO THE PRODUCT AS SPECIFIED IN THIS PART 2. IF
10 A MANUFACTURER HAS PROVIDED A CERTIFICATION TO A STATE THAT HAS
11 STANDARDS IDENTICAL TO THE STANDARDS SPECIFIED IN THIS PART 2 AND
12 THAT PUBLISHES A DATABASE OF COMPLIANT PRODUCTS, THE
13 MANUFACTURER MAY SATISFY THE CERTIFICATION REQUIREMENT OF THIS
14 SUBSECTION (2) BY PROVIDING A COPY OF THE CERTIFICATION PROVIDED
15 TO THE OTHER STATE OR OTHER PROOF DEEMED APPROPRIATE BY THE
16 ATTORNEY GENERAL DEMONSTRATING THAT THE PRODUCT COMPLIES WITH
17 THE OTHER STATE'S STANDARDS.

18 (3) THIS PART 2 SHALL NOT APPLY TO:

19 (a) NEW PRODUCTS MANUFACTURED IN COLORADO AND SOLD
20 OUTSIDE OF COLORADO;

21 (b) NEW PRODUCTS MANUFACTURED OUTSIDE OF COLORADO AND
22 SOLD AT WHOLESALE IN COLORADO FOR FINAL RETAIL SALE AND
23 INSTALLATION OUTSIDE OF COLORADO;

24 (c) PRODUCTS INSTALLED IN MOBILE HOMES OR MANUFACTURED
25 HOMES AT THE TIME OF CONSTRUCTION;

26 (d) PRODUCTS DESIGNED EXPRESSLY FOR INSTALLATION AND USE
27 IN RECREATIONAL VEHICLES.

1 (4) SALE OR INSTALLATION OF A NONCOMPLYING PRODUCT IN
 2 VIOLATION OF THIS SECTION SHALL CONSTITUTE A DECEPTIVE TRADE
 3 PRACTICE UNDER SECTION 6-1-105 (1) (xx).

4 **6-7-204. Applicable standards - automatic commercial**
 5 **ice-makers.** (1) AUTOMATIC COMMERCIAL ICE-MAKERS SHALL HAVE
 6 DAILY ENERGY USE AND DAILY WATER USE NO GREATER THAN THE
 7 FOLLOWING APPLICABLE VALUES:

8	EQUIPMENT COOLING		HARVEST	MAXIMUM	MAXIMUM
9	TYPE	TYPE	RATE	ENERGY	CONDENSER
10			(LBS. ICE/ 24 HRS.)	USE (K WH/ 100 LBS. ICE)	WATER USE (GAL/100 LBS. ICE)
13	ICE-MAKING	WATER	< 500	7.80 - .0055H	200 - .022H
14	HEAD		500 <1436	5.58 - .0011H	200 - .022H
15			1436 4.0		200 - .022H
16	ICE-MAKING	AIR	<450	10.26-.0086H	NOT APPLICABLE
17	HEAD		450	6.89-.0011H	NOT APPLICABLE
18	REMOTE	AIR	<1000	8.85-.0038H	NOT APPLICABLE
19	CONDENSING;		1000 5.10		NOT APPLICABLE
20	NOT REMOTE				
21	COMPRESSOR				
22	REMOTE	AIR	<934	8.85-.0038H	NOT APPLICABLE
23	CONDENSING		934	5.30	NOT APPLICABLE
24	& COMPRESSOR				
25	SELF-	WATER	<200	11.40 - .019H	191 - .0315H
26	CONTAINED		200	7.60	191 - .0315H
27	SELF-	AIR	<175	18 - .0469H	NOT APPLICABLE

1 (ASTM) "STANDARD TEST METHOD FOR PRE-RINSE SPRAY VALVES",
2 ASTM F2324-03.

3 **6-7-207. Applicable standards - commercial refrigerators and**
4 **freezers - definitions.** (1) THE DAILY ENERGY CONSUMPTION OF
5 COMMERCIAL REFRIGERATORS AND FREEZERS SHALL NOT EXCEED THE
6 APPLICABLE VALUES AS FOLLOWS:

7 EQUIPMENT	DOORS	MAXIMUM DAILY
8 TYPE		ENERGY
		9 CONSUMPTION (KWH)
10 REFRIGERATORS	SOLID	$0.10V + 2.04$
	TRANSPARENT	$0.12V + 3.34$
12 PULLDOWN	TRANSPARENT	$0.126V + 3.51$
13 REFRIGERATORS		
14 FREEZERS	SOLID	$0.40V + 1.38$
	TRANSPARENT	$0.75V + 4.10$
16 REFRIGERATOR-	SOLID	$(0.27AV - 0.71)$ OR 0.70 ,
17 FREEZERS		WHICHEVER IS GREATER

18 (2) FOR PURPOSES OF SUBSECTION (1) OF THIS SECTION:

19 (a) "KWH" MEANS KILOWATT HOURS.

20 (b) "V" MEANS TOTAL VOLUME IN CUBIC FEET (FT³), AS DEFINED BY
21 THE ASSOCIATION OF HOME APPLIANCE MANUFACTURERS TEST METHOD
22 HRF1-1979.

23 (c) "AV" MEANS ADJUSTED VOLUME, USING THE FORMULA [1.63 X
24 FREEZER VOLUME (FT³)] + REFRIGERATOR VOLUME (FT³).

25 (d) DAILY ENERGY CONSUMPTION SHALL BE MEASURED IN
26 ACCORDANCE WITH THE AMERICAN NATIONAL STANDARDS INSTITUTE
27 (ANSI)/AMERICAN SOCIETY OF HEATING, REFRIGERATING, AND AIR

1 CONDITIONING ENGINEERS (ASHRAE) TEST METHOD 117-2002; EXCEPT
2 THAT THE CONTROLS OF ALL APPLIANCES SHALL BE ADJUSTED TO OBTAIN
3 THE FOLLOWING PRODUCT TEMPERATURES:

4 PRODUCT OR COMPARTMENT	5 INTEGRATED AVERAGE
6 TYPE	7 PRODUCT TEMPERATURE (°F.)
8 REFRIGERATOR	9 38 ± 2
10 FREEZER	11 0 ± 2

12 **6-7-208. Applicable standards - digital television adapters.**
13 DIGITAL TELEVISION ADAPTERS SHALL NOT USE MORE THAN ONE WATT IN
14 PASSIVE-STANDBY MODE AND EIGHT WATTS IN "ON" MODE. FOR PURPOSES
15 OF THIS SECTION, "PASSIVE-STANDBY" MODE AND "ON" MODE POWER
16 CONSUMPTION SHALL BE MEASURED IN ACCORDANCE WITH THE
17 INTERNATIONAL ELECTROTECHNICAL COMMISSION (IEC) TEST METHOD
18 62087:2002(E), "METHODS OF MEASUREMENT FOR THE POWER
19 CONSUMPTION OF AUDIO, VIDEO, AND RELATED EQUIPMENT".

20 **6-7-209. Applicable standards - illuminated exit signs.**
21 ILLUMINATED EXIT SIGNS SHALL HAVE AN INPUT POWER DEMAND OF NOT
22 MORE THAN FIVE WATTS PER ILLUMINATED FACE, MEASURED IN
23 ACCORDANCE WITH THE UNITED STATES ENVIRONMENTAL PROTECTION
24 AGENCY'S "ENERGY STAR" EXIT SIGN PROGRAM (VERSION 3.0) CONDITIONS
25 FOR TESTING, AND SHALL MEET ALL APPLICABLE BUILDING AND SAFETY
26 CODES.

27 **6-7-210. Applicable standards - large packaged air conditioning equipment.** (1) LARGE PACKAGED AIR CONDITIONING EQUIPMENT SHALL MEET THE FOLLOWING APPLICABLE ENERGY EFFICIENCY RATIOS (EER):

28 (a) 10.0 EER FOR AIR-CONDITIONING EQUIPMENT WITHOUT AN

1 INTEGRATED HEATING COMPONENT OR WITH ELECTRIC RESISTANCE
2 HEATING INTEGRATED INTO THE UNIT;

3 (b) 9.8 EER FOR AIR-CONDITIONING EQUIPMENT WITH HEATING
4 OTHER THAN ELECTRIC RESISTENCE INTEGRATED INTO THE UNIT;

5 (c) 9.5 EER FOR AIR-CONDITIONING HEAT PUMP EQUIPMENT
6 WITHOUT AN INTEGRATED HEATING COMPONENT OR WITH ELECTRIC
7 RESISTANCE HEATING INTEGRATED INTO THE UNIT; AND

8 (d) 9.3 EER FOR AIR-CONDITIONING HEAT PUMP EQUIPMENT WITH
9 HEATING OTHER THAN ELECTRIC RESISTANCE INTEGRATED INTO THE UNIT.

10 (2) LARGE PACKAGED AIR-CONDITIONING HEAT PUMP EQUIPMENT
11 SHALL MEET A MINIMUM COEFFICIENT OF PERFORMANCE IN THE HEATING
12 MODE OF 3.2, MEASURED AT A HIGH TEMPERATURE RATING OF 47 DEGREES
13 FAHRENHEIT DRY BULB.

14 (3) FOR PURPOSES OF THIS SECTION, ENERGY EFFICIENCY SHALL BE
15 MEASURED IN ACCORDANCE WITH AMERICAN NATIONAL STANDARDS
16 INSTITUTE (ANSI)/AMERICAN SOCIETY OF HEATING, REFRIGERATING, AND
17 AIR CONDITIONING ENGINEERS (ASHRAE) TEST METHOD 340/360-2000.

18 **6-7-211. Applicable standards - low-voltage, dry-type**
19 **distribution transformers.** LOW-VOLTAGE, DRY-TYPE DISTRIBUTION
20 TRANSFORMERS SHALL MEET THE CLASS 1 EFFICIENCY LEVELS FOR LOW
21 VOLTAGE DISTRIBUTION TRANSFORMERS SPECIFIED IN TABLE 4-2 OF THE
22 "GUIDE FOR DETERMINING ENERGY EFFICIENCY FOR DISTRIBUTION
23 TRANSFORMERS" PUBLISHED BY THE NATIONAL ELECTRICAL
24 MANUFACTURERS ASSOCIATION (NEMA), STANDARD TP-1-2002.

25 **6-7-212. Applicable standards - metal halide lamp fixtures.**
26 METAL HALIDE LAMP FIXTURES DESIGNED TO BE OPERATED WITH LAMPS
27 RATED AT LEAST ONE HUNDRED FIFTY WATTS BUT NO MORE THAN FIVE

1 HUNDRED WATTS SHALL NOT CONTAIN A PROBE-START METAL HALIDE
2 LAMP BALLAST.

3 **6-7-213. Applicable standards - single-voltage external AC to**
4 **DC power supplies.** (1) SINGLE-VOLTAGE EXTERNAL AC TO DC POWER
5 SUPPLIES SHALL MEET THE FOLLOWING REQUIREMENTS:

6 NAMEPLATE OUTPUT	7 MINIMUM EFFICIENCY (ACTIVE MODE)
8 < 1 WATT	0.49 X NAMEPLATE OUTPUT
9 1 WATT 49 WATTS	$0.09 \times \text{LN}(\text{NAMEPLATE OUTPUT}) + 0.49$
10 > 49 WATTS	0.84

10 NAMEPLATE OUTPUT	11 MAXIMUM ENERGY CONSUMPTION
	12 (NO-LOAD MODE)
13 < 10 WATTS	0.5 WATTS
14 10 WATTS 250 WATTS	0.75 WATTS

15 (2) FOR PURPOSES OF THIS SECTION:

16 (a) "LN (NAMEPLATE OUTPUT)" MEANS THE NATURAL LOGARITHM
17 OF THE NAMEPLATE OUTPUT EXPRESSED IN WATTS.

18 (b) EFFICIENCY OF SINGLE-VOLTAGE EXTERNAL AC TO DC POWER
19 SUPPLIES SHALL BE MEASURED IN ACCORDANCE WITH THE UNITED STATES
20 ENVIRONMENTAL PROTECTION AGENCY'S TEST METHODOLOGY
21 INCLUDED IN THE "ENERGY STAR" PROGRAM REQUIREMENTS FOR
22 SINGLE-VOLTAGE EXTERNAL AC TO DC AND AC TO AC POWER SUPPLIES
23 PUBLISHED IN JANUARY, 2005.

24 **6-7-214. Applicable standards - state-regulated incandescent**
25 **reflector lamps.** (1) STATE-REGULATED INCANDESCENT REFLECTOR
26 LAMPS SHALL MEET THE FOLLOWING MINIMUM EFFICACIES:

26 WATTAGE	27 MINIMUM EFFICACY (LUMENS PER WATT)
40 - 50	10.5

1	51 - 66	11.0
2	67 - 85	12.5
3	86 - 115	14.0
4	116 - 155	14.5
5	156 - 205	15.0

6 (2) LAMP EFFICACY SHALL BE MEASURED IN ACCORDANCE WITH
7 THE APPLICABLE FEDERAL TEST METHOD IN 10 CFR 430.23.

8 **6-7-215. Applicable standards - torchiere fixtures.** A
9 TORCHIERE FIXTURE SHALL NOT CONSUME MORE THAN ONE HUNDRED
10 NINETY WATTS IF ANY COMMERCIALY AVAILABLE LAMP OR COMBINATION
11 OF LAMPS CAN BE INSERTED IN ITS SOCKET AND CAUSE THE TORCHIERE TO
12 DRAW MORE THAN ONE HUNDRED NINETY WATTS WHEN OPERATED AT FULL
13 BRIGHTNESS.

14 **6-7-216. Applicable standards - traffic signal modules.**
15 (1) TRAFFIC SIGNAL MODULES SHALL BE INSTALLED WITH COMPATIBLE,
16 ELECTRONICALLY-CONNECTED SIGNAL CONTROL INTERFACE DEVICES AND
17 CONFLICT MONITORING SYSTEMS AND SHALL HAVE MAXIMUM AND
18 NOMINAL WATTAGE THAT DO NOT EXCEED THE FOLLOWING APPLICABLE
19 VALUES:

20	MODULE TYPE	MAXIMUM WATTAGE	NOMINAL WATTAGE
21		(AT 74° C)	(AT 25° C)
22	12" RED BALL (OR	17	11
23	300 MM CIRCULAR)		
24	8" RED BALL (OR	13	8
25	200 MM CIRCULAR)		
26	12" RED ARROW (OR	12	9
27	300 MM ARROW)		

1	12" GREEN BALL (OR	15	15
2	300 MM CIRCULAR)		
3	8" GREEN BALL (OR	12	12
4	200 MM CIRCULAR)		
5	12" GREEN ARROW	11	11
6	(OR 300 MM ARROW)		

7 (2) FOR PURPOSES OF THIS SECTION, MAXIMUM WATTAGE AND
8 NOMINAL WATTAGE SHALL BE MEASURED IN ACCORDANCE WITH, AND
9 UNDER THE TESTING CONDITIONS SPECIFIED BY, THE INSTITUTE FOR
10 TRANSPORTATION ENGINEERS (ITE) "INTERIM LED PURCHASE
11 SPECIFICATION, VEHICLE TRAFFIC CONTROL SIGNAL HEADS, PART 2:
12 LIGHT EMITTING DIODE (LED) VEHICLE TRAFFIC SIGNAL MODULES".

13 **6-7-217. Applicable standards - unit heaters.** NATURAL
14 GAS-FIRED UNIT HEATERS SHALL BE EQUIPPED WITH INTERMITTENT
15 IGNITION DEVICES AND SHALL HAVE EITHER POWER VENTING OR AN
16 AUTOMATIC FLUE DAMPER.

17 **6-7-218. Applicable standards - swimming pool pump motors.**
18 SWIMMING POOL PUMP MOTORS SHALL NOT BE SPLIT-PHASE OR CAPACITOR
19 START-INDUCTION RUN TYPE. ALL SWIMMING POOL PUMP MOTORS WITH
20 TOTAL CAPACITY OF AT LEAST ONE HORSEPOWER (HP) SHALL HAVE THE
21 ABILITY TO OPERATE AT A MINIMUM OF TWO SPEEDS, AND THE LOW SPEED
22 SHALL HAVE A ROTATION RATE THAT IS NO MORE THAN HALF OF THE
23 MOTOR'S MAXIMUM ROTATION RATE. ALL POOL PUMP MOTOR CONTROLS
24 SHALL HAVE THE ABILITY TO OPERATE THE POOL PUMP AT A MINIMUM OF
25 TWO SPEEDS. THE DEFAULT CIRCULATION SPEED SHALL BE THE LOWEST
26 SPEED, AND ANY HIGH-SPEED OVERRIDE CAPABILITY SHALL BE FOR A
27 TEMPORARY PERIOD, NOT TO EXCEED ONE NORMAL CYCLE.

1 **SECTION 4.** 6-1-105 (1), Colorado Revised Statutes, is amended
2 BY THE ADDITION OF A NEW PARAGRAPH to read:

3 **6-1-105. Deceptive trade practices.** (1) A person engages in a
4 deceptive trade practice when, in the course of such person's business,
5 vocation, or occupation, such person:

6 (xx) KNOWINGLY SELLS OR INSTALLS A PRODUCT THAT DOES NOT
7 MEET OR EXCEED AN APPLICABLE ENERGY EFFICIENCY STANDARD SET
8 FORTH IN PART 2 OF ARTICLE 7 OF THIS TITLE IN VIOLATION OF SECTION
9 6-7-203.

10 **SECTION 5.** 6-7-104, Colorado Revised Statutes, is amended to
11 read:

12 **6-7-104. Exemptions from this part 1.** The standards set forth
13 in this ~~article~~ PART 1 shall not apply to the design and construction or
14 renovation of private garages, carports, sheds, agricultural buildings,
15 tanks, factory-constructed housing, towers, and those buildings ~~which~~
16 THAT have been designated as historic by the governing body of a county
17 or municipality or ~~which~~ THAT have been included on the state register of
18 historic properties pursuant to article 80.1 of title 24, C.R.S., or the
19 national register of historic places maintained pursuant to 16 U.S.C. sec.
20 470a.

21 **SECTION 6.** 6-7-106, Colorado Revised Statutes, is amended to
22 read:

23 **6-7-106. Building permits.** (1) No building permit shall be
24 issued for the construction or renovation of any residential buildings in
25 any area under the jurisdiction of a local government ~~on or after October~~
26 ~~1, 1977,~~ unless such construction or renovation will conform to the
27 provisions of this ~~article~~ PART 1. The local building inspector shall

1 inspect all places not inspected by the division of housing pursuant to part
2 7 of article 32 of title 24, C.R.S., to determine whether such places are in
3 compliance with the insulation standards required by this ~~article~~ PART 1.

4 (2) Nothing in this ~~article~~ PART 1 shall be construed to restrict or
5 limit the authority of a county or municipality to adopt and enforce
6 standards for efficient construction and renovation ~~which~~ THAT are no
7 less stringent than the standards contained in section 6-7-105. Any
8 county or municipality adopting such standards may accept computations
9 submitted by a licensed architect or licensed engineer that the design of
10 the proposed building meets or exceeds the locally adopted energy
11 efficiency standards.

12 **SECTION 7. Effective date.** This act shall take effect at 12:01
13 a.m. on the day following the expiration of the ninety-day period after
14 final adjournment of the general assembly that is allowed for submitting
15 a referendum petition pursuant to article V, section 1 (3) of the state
16 constitution (August 10, 2005, if adjournment sine die is on May 11,
17 2005); except that, if a referendum petition is filed against this act or an
18 item, section, or part of this act within such period, then the act, item,
19 section, or part, if approved by the people, shall take effect on the date of
20 the official declaration of the vote thereon by proclamation of the
21 governor.