

**First Regular Session  
Sixty-fifth General Assembly  
STATE OF COLORADO**

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 05-0236.01 Christy Chase

**HOUSE BILL 05-1162**

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**HOUSE SPONSORSHIP**

**Borodkin,**

**SENATE SPONSORSHIP**

**(None),**

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**House Committees**

Business Affairs and Labor

**Senate Committees**

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**A BILL FOR AN ACT**

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

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**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.*

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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.

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

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

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

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

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

26 (b) DRIVE TRANSFORMERS, RECTIFIER TRANSFORMERS,  
27 AUTO-TRANSFORMERS, UNINTERRUPTIBLE POWER SYSTEM TRANSFORMERS,

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

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

13 **6-7-203. Complying products - sale - installation - certification**  
14 **- exceptions.** (1) (a) UNLESS EXEMPTED UNDER SUBSECTION (3) OF THIS  
15 SECTION, AND EXCEPT AS PROVIDED IN PARAGRAPH (b) OF THIS  
16 SUBSECTION (1), NEW PRODUCTS THAT DO NOT MEET OR EXCEED THE  
17 APPLICABLE STANDARDS SET FORTH IN THIS PART 2:

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

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

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

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

27 (II) SHALL NOT BE INSTALLED IN COLORADO ON OR AFTER

1 JANUARY 1, 2011.

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

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

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

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

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

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

27 (4) SALE OR INSTALLATION OF A NONCOMPLYING PRODUCT IN

1 VIOLATION OF THIS SECTION SHALL CONSTITUTE A DECEPTIVE TRADE  
 2 PRACTICE UNDER SECTION 6-1-105 (1) (xx).

3 **6-7-204. Applicable standards - automatic commercial**  
 4 **ice-makers.** (1) AUTOMATIC COMMERCIAL ICE-MAKERS SHALL HAVE  
 5 DAILY ENERGY USE AND DAILY WATER USE NO GREATER THAN THE  
 6 FOLLOWING APPLICABLE VALUES:

7	EQUIPMENT COOLING		HARVEST	MAXIMUM	MAXIMUM
8	TYPE	TYPE	RATE	ENERGY	CONDENSER
9			(LBS. ICE/ 24 HRS.)	USE (K WH/ 100 LBS. ICE)	WATER USE (GAL/100 LBS. ICE)
12	ICE-MAKING	WATER	< 500	7.80 - .0055H	200 - .022H
13	HEAD		500 <1436	5.58 - .0011H	200 - .022H
14			1436 4.0		200 - .022H
15	ICE-MAKING	AIR	<450	10.26-.0086H	NOT APPLICABLE
16	HEAD		450	6.89-.0011H	NOT APPLICABLE
17	REMOTE	AIR	<1000	8.85-.0038H	NOT APPLICABLE
18	CONDENSING;		1000 5.10		NOT APPLICABLE
19	NOT REMOTE				
20	COMPRESSOR				
21	REMOTE	AIR	<934	8.85-.0038H	NOT APPLICABLE
22	CONDENSING		934	5.30	NOT APPLICABLE
23	& COMPRESSOR				
24	SELF-	WATER	<200	11.40 - .019H	191 - .0315H
25	CONTAINED		200	7.60	191 - .0315H
26	SELF-	AIR	<175	18 - .0469H	NOT APPLICABLE
27	CONTAINED		175	9.80	NOT APPLICABLE

1 (2) FOR PURPOSES OF THIS SECTION:

2 (a) "H" MEANS THE HARVEST RATE IN POUNDS PER TWENTY-FOUR  
3 HOURS, WHICH SHALL BE REPORTED WITHIN FIVE PERCENT OF THE TESTED  
4 VALUE.

5 (b) "ICE-MAKING HEAD" INCLUDES ALL AUTOMATIC COMMERCIAL  
6 ICE CUBE MACHINES THAT ARE NOT SPLIT SYSTEM ICE-MAKERS OR  
7 SELF-CONTAINED MODELS AS DEFINED IN STANDARD NUMBER ARI  
8 810-2003 AS PUBLISHED BY THE AIR-CONDITIONING AND REFRIGERATION  
9 INSTITUTE, ALSO REFERRED TO IN THIS SUBSECTION (2) AS ARI.

10 (c) WATER USE IS FOR THE CONDENSER ONLY AND DOES NOT  
11 INCLUDE POTABLE WATER USED TO MAKE ICE.

12 (d) AUTOMATIC COMMERCIAL ICE CUBE MACHINES SHALL BE  
13 TESTED IN ACCORDANCE WITH ARI 810-2003 TEST METHOD AS PUBLISHED  
14 BY THE ARI.

15 **6-7-205. Applicable standards - commercial clothes washers.**

16 COMMERCIAL CLOTHES WASHERS SHALL HAVE A MINIMUM MODIFIED  
17 ENERGY FACTOR OF 1.26 AND A MAXIMUM WATER CONSUMPTION FACTOR  
18 OF 9.5. FOR PURPOSES OF THIS SECTION, COMPARTMENT CAPACITY,  
19 MODIFIED ENERGY FACTOR, AND WATER CONSUMPTION FACTOR SHALL BE  
20 DEFINED AND MEASURED IN ACCORDANCE WITH THE FEDERAL TEST  
21 METHOD FOR CLOTHES WASHERS AS DEFINED IN 10 CFR 430.23(j)  
22 (APPENDIX J1 TO SUBPART B OF PART 430) (2001).

23 **6-7-206. Applicable standards - commercial pre-rinse spray**

24 **valves.** COMMERCIAL PRE-RINSE SPRAY VALVES SHALL HAVE A FLOW  
25 RATE NO GREATER THAN 1.6 GALLONS PER MINUTE WHEN MEASURED IN  
26 ACCORDANCE WITH THE AMERICAN SOCIETY FOR TESTING AND MATERIALS  
27 (ASTM) "STANDARD TEST METHOD FOR PRE-RINSE SPRAY VALVES",

1 ASTM F2324-03.

2 **6-7-207. Applicable standards - commercial refrigerators and**  
3 **freezers - definitions.** (1) THE DAILY ENERGY CONSUMPTION OF  
4 COMMERCIAL REFRIGERATORS AND FREEZERS SHALL NOT EXCEED THE  
5 APPLICABLE VALUES AS FOLLOWS:

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

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

18 (a) "KWH" MEANS KILOWATT HOURS.

19 (b) "V" MEANS TOTAL VOLUME IN CUBIC FEET (FT<sup>3</sup>), AS DEFINED BY  
20 THE ASSOCIATION OF HOME APPLIANCE MANUFACTURERS TEST METHOD  
21 HRF1-1979.

22 (c) "AV" MEANS ADJUSTED VOLUME, USING THE FORMULA  $[1.63 \times$   
23  $\text{FREEZER VOLUME (FT}^3\text{)}] + \text{REFRIGERATOR VOLUME (FT}^3\text{)}$ .

24 (d) DAILY ENERGY CONSUMPTION SHALL BE MEASURED IN  
25 ACCORDANCE WITH THE AMERICAN NATIONAL STANDARDS INSTITUTE  
26 (ANSI)/AMERICAN SOCIETY OF HEATING, REFRIGERATING, AND AIR  
27 CONDITIONING ENGINEERS (ASHRAE) TEST METHOD 117-2002; EXCEPT

1 THAT THE CONTROLS OF ALL APPLIANCES SHALL BE ADJUSTED TO OBTAIN  
2 THE FOLLOWING PRODUCT TEMPERATURES:

3 <b>PRODUCT OR COMPARTMENT</b>	<b>INTEGRATED AVERAGE</b>
4 <b>TYPE</b>	<b>PRODUCT TEMPERATURE (°F.)</b>
5 REFRIGERATOR	38 ± 2
6 FREEZER	0 ± 2

7 **6-7-208. Applicable standards - digital television adapters.**

8 DIGITAL TELEVISION ADAPTERS SHALL NOT USE MORE THAN ONE WATT IN  
9 PASSIVE-STANDBY MODE AND EIGHT WATTS IN "ON" MODE. FOR PURPOSES  
10 OF THIS SECTION, "PASSIVE-STANDBY" MODE AND "ON" MODE POWER  
11 CONSUMPTION SHALL BE MEASURED IN ACCORDANCE WITH THE  
12 INTERNATIONAL ELECTROTECHNICAL COMMISSION (IEC) TEST METHOD  
13 62807:2002(E), "METHODS OF MEASUREMENT FOR THE POWER  
14 CONSUMPTION OF AUDIO, VIDEO, AND RELATED EQUIPMENT".

15 **6-7-209. Applicable standards - illuminated exit signs.**

16 ILLUMINATED EXIT SIGNS SHALL HAVE AN INPUT POWER DEMAND OF NOT  
17 MORE THAN FIVE WATTS PER ILLUMINATED FACE, MEASURED IN  
18 ACCORDANCE WITH THE UNITED STATES ENVIRONMENTAL PROTECTION  
19 AGENCY'S "ENERGY STAR" EXIT SIGN PROGRAM'S CONDITIONS FOR  
20 TESTING, AND SHALL MEET ALL APPLICABLE BUILDING AND SAFETY CODES.

21 **6-7-210. Applicable standards - large packaged air**

22 **conditioning equipment.** (1) LARGE PACKAGED AIR CONDITIONING  
23 EQUIPMENT SHALL MEET THE FOLLOWING APPLICABLE ENERGY EFFICIENCY  
24 RATIOS (EER):

25 (a) 10.0 EER FOR AIR-CONDITIONING EQUIPMENT WITHOUT AN  
26 INTEGRATED HEATING COMPONENT OR WITH ELECTRIC RESISTANCE  
27 HEATING INTEGRATED INTO THE UNIT;

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

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

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

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

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

16 **6-7-211. Applicable standards - low-voltage, dry-type**  
17 **distribution transformers.** LOW-VOLTAGE, DRY-TYPE DISTRIBUTION  
18 TRANSFORMERS SHALL MEET THE CLASS 1 EFFICIENCY LEVELS FOR LOW  
19 VOLTAGE DISTRIBUTION TRANSFORMERS SPECIFIED IN TABLE 4-2 OF THE  
20 "GUIDE FOR DETERMINING ENERGY EFFICIENCY FOR DISTRIBUTION  
21 TRANSFORMERS" PUBLISHED BY THE NATIONAL ELECTRICAL  
22 MANUFACTURERS ASSOCIATION (NEMA), STANDARD TP-1-2002.

23 **6-7-212. Applicable standards - metal halide lamp fixtures.**  
24 METAL HALIDE LAMP FIXTURES DESIGNED TO BE OPERATED WITH LAMPS  
25 RATED AT LEAST ONE HUNDRED FIFTY WATTS BUT NO MORE THAN FIVE  
26 HUNDRED WATTS SHALL NOT CONTAIN A PROBE-START METAL HALIDE  
27 LAMP BALLAST.

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

4 NAMEPLATE OUTPUT	MINIMUM EFFICIENCY (ACTIVE MODE)
5 < 1 WATT	0.49 X NAMEPLATE OUTPUT
6 1 WATT - 49 WATTS	$0.09 \times \text{LN}(\text{NAMEPLATE OUTPUT}) + 0.49$
7 > 49 WATTS	0.84

8 NAMEPLATE OUTPUT	MAXIMUM ENERGY CONSUMPTION (NO-LOAD MODE)
9 10 WATTS	0.5 WATTS
10 > 10 WATTS - 250 WATTS	0.75 WATTS

12           (2) FOR PURPOSES OF THIS SECTION:

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

15           (b) EFFICIENCY OF SINGLE-VOLTAGE EXTERNAL AC TO DC POWER  
 16 SUPPLIES SHALL BE MEASURED IN ACCORDANCE WITH THE UNITED STATES  
 17 ENVIRONMENTAL PROTECTION AGENCY'S "TEST METHOD FOR  
 18 CALCULATING THE ENERGY EFFICIENCY OF SINGLE-VOLTAGE EXTERNAL  
 19 AC TO DC AND AC TO AC POWER SUPPLIES", DATED AUGUST 11, 2004.

20           **6-7-214. Applicable standards - state-regulated incandescent**  
 21 **reflector lamps.** (1) STATE-REGULATED INCANDESCENT REFLECTOR  
 22 LAMPS SHALL MEET THE FOLLOWING MINIMUM EFFICACIES:

23 WATTAGE	MINIMUM EFFICACY (LUMENS PER WATT)
24 40 - 50	10.5
25 51 - 66	11.0
26 67 - 85	12.5
27 86 - 115	14.0

1 116 - 155 14.5

2 156 - 205 15.0

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

5 **6-7-215. Applicable standards - torchiere fixtures.** A  
6 TORCHIERE FIXTURE SHALL NOT CONSUME MORE THAN ONE HUNDRED  
7 NINETY WATTS IF ANY COMMERCIALY AVAILABLE LAMP OR COMBINATION  
8 OF LAMPS CAN BE INSERTED IN ITS SOCKET AND CAUSE THE TORCHIERE TO  
9 DRAW MORE THAN ONE HUNDRED NINETY WATTS WHEN OPERATED AT FULL  
10 BRIGHTNESS.

11 **6-7-216. Applicable standards - traffic signal modules.**

12 (1) TRAFFIC SIGNAL MODULES SHALL BE INSTALLED WITH COMPATIBLE,  
13 ELECTRONICALLY-CONNECTED SIGNAL CONTROL INTERFACE DEVICES AND  
14 CONFLICT MONITORING SYSTEMS AND SHALL HAVE MAXIMUM AND  
15 NOMINAL WATTAGE THAT DO NOT EXCEED THE FOLLOWING APPLICABLE  
16 VALUES:

17	<b>MODULE TYPE</b>	<b>MAXIMUM WATTAGE</b>	<b>NOMINAL WATTAGE</b>
18		<b>(AT 74° C)</b>	<b>(AT 25° C)</b>
19	12" RED BALL (OR	17	11
20	300 MM CIRCULAR)		
21	8" RED BALL (OR	13	8
22	200 MM CIRCULAR)		
23	12" RED ARROW (OR	12	9
24	300 MM ARROW)		
25	12" GREEN BALL (OR	15	15
26	300 MM CIRCULAR)		
27	8" GREEN BALL (OR	12	12

1 200 MM CIRCULAR)

2 12" GREEN ARROW 11 11

3 (OR 300 MM ARROW)

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

10 **6-7-217. Applicable standards - unit heaters.** NATURAL  
11 GAS-FIRED UNIT HEATERS SHALL BE EQUIPPED WITH INTERMITTENT  
12 IGNITION DEVICES AND SHALL HAVE EITHER POWER VENTING OR AN  
13 AUTOMATIC FLUE DAMPER.

14 **6-7-218. Applicable standards - swimming pool pump motors.**  
15 SWIMMING POOL PUMP MOTORS SHALL NOT BE SPLIT-PHASE OR CAPACITOR  
16 START-INDUCTION RUN TYPE. ALL SWIMMING POOL PUMP MOTORS WITH  
17 TOTAL CAPACITY OF AT LEAST ONE HORSEPOWER (HP) SHALL HAVE THE  
18 ABILITY TO OPERATE AT A MINIMUM OF TWO SPEEDS, AND THE LOW SPEED  
19 SHALL HAVE A ROTATION RATE THAT IS NO MORE THAN HALF OF THE  
20 MOTOR'S MAXIMUM ROTATION RATE. ALL POOL PUMP MOTOR CONTROLS  
21 SHALL HAVE THE ABILITY TO OPERATE THE POOL PUMP AT A MINIMUM OF  
22 TWO SPEEDS. THE DEFAULT CIRCULATION SPEED SHALL BE THE LOWEST  
23 SPEED, AND ANY HIGH-SPEED OVERRIDE CAPABILITY SHALL BE FOR A  
24 TEMPORARY PERIOD, NOT TO EXCEED ONE NORMAL CYCLE.

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

27 **6-1-105. Deceptive trade practices.** (1) A person engages in a

1 deceptive trade practice when, in the course of such person's business,  
2 vocation, or occupation, such person:

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

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

9 **6-7-104. Exemptions from this part 1.** The standards set forth  
10 in this ~~article~~ PART 1 shall not apply to the design and construction or  
11 renovation of private garages, carports, sheds, agricultural buildings,  
12 tanks, factory-constructed housing, towers, and those buildings ~~which~~  
13 THAT have been designated as historic by the governing body of a county  
14 or municipality or ~~which~~ THAT have been included on the state register of  
15 historic properties pursuant to article 80.1 of title 24, C.R.S., or the  
16 national register of historic places maintained pursuant to 16 U.S.C. sec.  
17 470a.

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

20 **6-7-106. Building permits.** (1) No building permit shall be  
21 issued for the construction or renovation of any residential buildings in  
22 any area under the jurisdiction of a local government ~~on or after October~~  
23 ~~1, 1977,~~ unless such construction or renovation will conform to the  
24 provisions of this ~~article~~ PART 1. The local building inspector shall  
25 inspect all places not inspected by the division of housing pursuant to part  
26 7 of article 32 of title 24, C.R.S., to determine whether such places are in  
27 compliance with the insulation standards required by this ~~article~~ PART 1.

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

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