

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

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

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

Business, Labor and Technology

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.

SENATE
Amended 2nd Reading
March 15, 2005

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

25 (5) (a) "COMMERCIAL REFRIGERATOR, FREEZER, AND
26 REFRIGERATOR-FREEZER" MEANS SELF-CONTAINED REFRIGERATION
27 EQUIPMENT THAT:

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

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

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

8 (IV) INCORPORATES MOST COMPONENTS INVOLVED IN THE
9 VAPOR-COMPRESSION CYCLE AND THE REFRIGERATED COMPARTMENT IN
10 A SINGLE CABINET.

11 (b) THE TERM DOES NOT INCLUDE:

12 (I) UNITS WITH EIGHTY-FIVE CUBIC FEET OF CAPACITY OR
13 GREATER;

14 (II) WALK-IN MODELS;

15 (III) UNITS WITH NO DOORS; AND

16 (IV) FREEZERS SPECIFICALLY DESIGNED FOR ICE CREAM.

17 (6) "DIGITAL TELEVISION ADAPTER" MEANS AN ELECTRONIC
18 PRODUCT THE SOLE PURPOSE OF WHICH IS THE CONVERSION OF DIGITAL
19 VIDEO TERRESTRIAL BROADCAST SIGNALS TO ANALOG NTSC VIDEO
20 SIGNALS FOR USE BY AN ANALOG DEVICE SUCH AS A TELEVISION. THE
21 TERM DOES NOT INCLUDE CABLE OR SATELLITE TELEVISION SET-TOP
22 BOXES.

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

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

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

5 (b) CONSISTS OF AN ELECTRICALLY POWERED INTEGRAL LIGHT
6 SOURCE THAT ILLUMINATES THE LEGEND "EXIT" AND ANY DIRECTIONAL
7 INDICATORS AND THAT PROVIDES CONTRAST BETWEEN THE LEGEND, ANY
8 DIRECTIONAL INDICATORS, AND THE BACKGROUND.

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

12 (a) HAS COOLING CAPACITY OF AT LEAST TWO HUNDRED FORTY
13 THOUSAND BTU PER HOUR BUT LESS THAN SEVEN HUNDRED SIXTY
14 THOUSAND BTU PER HOUR; AND

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

17 (10) "LOW-VOLTAGE, DRY-TYPE DISTRIBUTION TRANSFORMER"
18 MEANS A DISTRIBUTION TRANSFORMER THAT HAS AN INPUT VOLTAGE OF
19 SIX HUNDRED VOLTS OR LESS, IS COOLED PRIMARILY BY AIR RATHER THAN
20 OIL OR OTHER LIQUID COOLANT, AND IS RATED FOR OPERATION AT A
21 FREQUENCY OF SIXTY HERTZ.

22 (11) "METAL HALIDE LAMP" MEANS A HIGH-INTENSITY DISCHARGE
23 LAMP IN WHICH THE MAJOR PORTION OF THE LIGHT IS PRODUCED BY
24 RADIATION OF METAL HALIDES AND THEIR PRODUCTS OF DISSOCIATION,
25 WHICH MAY BE IN COMBINATION WITH METALLIC VAPORS.

26 (12) "METAL HALIDE LAMP FIXTURE" MEANS A LIGHT FIXTURE
27 DESIGNED TO BE OPERATED WITH A METAL HALIDE LAMP AND A BALLAST

1 FOR A METAL HALIDE LAMP.

2 (13) "PROBE-START METAL HALIDE BALLAST" MEANS A BALLAST
3 USED TO OPERATE METAL HALIDE LAMPS THAT DOES NOT CONTAIN AN
4 IGNITOR AND INSTEAD STARTS LAMPS BY USING A THIRD STARTING
5 ELECTRODE PROBE IN THE ARC TUBE.

6 (14) "PULLDOWN REFRIGERATOR" MEANS A COMMERCIAL
7 REFRIGERATOR SPECIFICALLY DESIGNED TO RAPIDLY REDUCE ALL
8 INTEGRATED PRODUCT TEMPERATURES FROM NINETY DEGREES
9 FAHRENHEIT TO THIRTY-EIGHT DEGREES FAHRENHEIT OVER A
10 TWELVE-HOUR PERIOD WHEN FULLY LOADED WITH BEVERAGE
11 CONTAINERS.

12 (15) "SINGLE-VOLTAGE EXTERNAL AC TO DC POWER SUPPLY"
13 MEANS A DEVICE THAT:

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

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

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

20 (d) IS CONTAINED WITHIN A SEPARATE PHYSICAL ENCLOSURE FROM
21 THE END-USE PRODUCT;

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

25 (f) DOES NOT HAVE BATTERIES OR BATTERY PACKS THAT
26 PHYSICALLY ATTACH DIRECTLY TO THE POWER SUPPLY UNIT, INCLUDING
27 REMOVABLE BATTERIES OR BATTERY PACKS;

1 (g) DOES NOT HAVE:

2 (I) A BATTERY CHEMISTRY OR TYPE SELECTOR SWITCH AND
3 INDICATOR LIGHT; OR

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

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

8 (16) "STATE-REGULATED INCANDESCENT REFLECTOR LAMP"
9 MEANS A LAMP THAT:

10 (a) IS NOT COLORED OR DESIGNED FOR ROUGH OR VIBRATION
11 SERVICE APPLICATIONS;

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

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

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

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

22 (17) "SWIMMING POOL PUMP MOTOR" MEANS A PUMP AND MOTOR
23 COMBINATION USED TO CIRCULATE AND FILTER SWIMMING POOL WATER IN
24 A RESIDENTIAL SWIMMING POOL.

25 (18) "TORCHIERE FIXTURE" MEANS A PORTABLE ELECTRIC
26 LIGHTING FIXTURE WITH A REFLECTIVE BOWL THAT DIRECTS LIGHT
27 UPWARD SO AS TO PROVIDE INDIRECT ILLUMINATION TO A ROOM. THE

1 TERM MAY ALSO INCLUDE A DOWNWARD-DIRECTED LAMP OF SIMILAR
2 DESIGN.

3 (19) "TRAFFIC SIGNAL" MEANS A DEVICE CONTAINING ONE OR
4 MORE TRAFFIC SIGNAL MODULES AND PLACED ON OR NEAR A ROADWAY TO
5 REGULATE TRAFFIC USING PRESCRIBED SYMBOLS AND SEQUENCES OF RED,
6 AMBER, AND GREEN LIGHT.

7 (20) "TRAFFIC SIGNAL MODULE" MEANS A STANDARD EIGHT-INCH-
8 OR TWELVE-INCH-DIAMETER ROUND TRAFFIC SIGNAL INDICATOR
9 CONSISTING OF A LIGHT SOURCE, LENS, AND ALL PARTS NECESSARY FOR
10 OPERATION.

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

17 (a) TRANSFORMERS WITH MULTIPLE VOLTAGE TAPS AND WITH THE
18 HIGHEST VOLTAGE TAP EQUALING AT LEAST TWENTY PERCENT MORE THAN
19 THE LOWEST VOLTAGE TAP; AND

20 (b) DRIVE TRANSFORMERS, RECTIFIER TRANSFORMERS,
21 AUTO-TRANSFORMERS, UNINTERRUPTIBLE POWER SYSTEM TRANSFORMERS,
22 IMPEDANCE TRANSFORMERS, REGULATING TRANSFORMERS, SEALED AND
23 NONVENTILATED TRANSFORMERS, TESTING TRANSFORMERS, OR ANY
24 OTHER TRANSFORMER THAT IS DESIGNED TO BE USED IN A
25 SPECIAL-PURPOSE APPLICATION AND IS UNLIKELY TO BE USED IN
26 GENERAL-PURPOSE APPLICATIONS.

27 (22) "UNIT HEATER" MEANS A SELF-CONTAINED, VENTED,

1 FAN-TYPE COMMERCIAL SPACE HEATER THAT USES NATURAL GAS OR
2 PROPANE AND IS DESIGNED TO BE INSTALLED WITHOUT DUCTS WITHIN A
3 HEATED SPACE. THE TERM DOES NOT INCLUDE ANY PRODUCT COVERED BY
4 FEDERAL STANDARDS ESTABLISHED PURSUANT TO 42 U.S.C. SEC. 6291 OR
5 A PRODUCT THAT IS A DIRECT-VENT, FORCED-FLUE HEATER WITH A
6 SEALED-COMBUSTION BURNER.

7 **6-7-203. Complying products - sale - installation - certification**

8 **- exceptions.** (1) (a) UNLESS EXEMPTED UNDER SUBSECTION (3) OF THIS
9 SECTION, AND EXCEPT AS PROVIDED IN PARAGRAPH (b) OF THIS
10 SUBSECTION (1), NEW PRODUCTS THAT DO NOT MEET OR EXCEED THE
11 APPLICABLE STANDARDS SET FORTH IN THIS PART 2:

12 (I) SHALL NOT BE SOLD IN COLORADO ON OR AFTER JANUARY 1,
13 2008; AND

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

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

19 (I) SHALL NOT BE SOLD IN COLORADO ON OR AFTER JANUARY 1,
20 2010; AND

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

23 (2) A MANUFACTURER OF A PRODUCT SUBJECT TO THE
24 REQUIREMENTS OF THIS PART 2 SHALL TEST SAMPLES OF THE PRODUCT,
25 WHEN NECESSARY, TO DETERMINE COMPLIANCE WITH THE APPLICABLE
26 STANDARDS FOR THE PRODUCT AS SPECIFIED IN THIS PART 2. A
27 MANUFACTURER SHALL CERTIFY IN WRITING TO THE ATTORNEY GENERAL

1 THAT THE PRODUCT SOLD IN COLORADO MEETS THE EFFICIENCY
2 STANDARDS APPLICABLE TO THE PRODUCT AS SPECIFIED IN THIS PART 2. IF
3 A MANUFACTURER HAS PROVIDED A CERTIFICATION TO A STATE THAT HAS
4 STANDARDS IDENTICAL TO THE STANDARDS SPECIFIED IN THIS PART 2 AND
5 THAT PUBLISHES A DATABASE OF COMPLIANT PRODUCTS, THE
6 MANUFACTURER MAY SATISFY THE CERTIFICATION REQUIREMENT OF THIS
7 SUBSECTION (2) BY PROVIDING A COPY OF THE CERTIFICATION PROVIDED
8 TO THE OTHER STATE OR OTHER PROOF DEEMED APPROPRIATE BY THE
9 ATTORNEY GENERAL DEMONSTRATING THAT THE PRODUCT COMPLIES WITH
10 THE OTHER STATE'S STANDARDS.

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

12 (a) NEW PRODUCTS MANUFACTURED IN COLORADO AND SOLD
13 OUTSIDE OF COLORADO;

14 (b) NEW PRODUCTS MANUFACTURED OUTSIDE OF COLORADO AND
15 SOLD AT WHOLESALE IN COLORADO FOR FINAL RETAIL SALE AND
16 INSTALLATION OUTSIDE OF COLORADO;

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

19 (d) PRODUCTS DESIGNED EXPRESSLY FOR INSTALLATION AND USE
20 IN RECREATIONAL VEHICLES.

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

24 **6-7-204. Applicable standards - automatic commercial**
25 **ice-makers.** (1) AUTOMATIC COMMERCIAL ICE-MAKERS SHALL HAVE
26 DAILY ENERGY USE AND DAILY WATER USE NO GREATER THAN THE
27 FOLLOWING APPLICABLE VALUES:

1	EQUIPMENT COOLING		HARVEST	MAXIMUM	MAXIMUM
2	TYPE	TYPE	RATE	ENERGY	CONDENSER
3			(LBS. ICE/	USE (K WH/	WATER USE
4			24 HRS.)	100 LBS.	(GAL/100 LBS.
5				ICE)	ICE)
6	ICE-MAKING	WATER	< 500	7.80 - .0055H	200 - .022H
7	HEAD		500 <1436	5.58 - .0011H	200 - .022H
8			1436 4.0		200 - .022H
9	ICE-MAKING	AIR	<450	10.26-.0086H	NOT APPLICABLE
10	HEAD		450	6.89-.0011H	NOT APPLICABLE
11	REMOTE	AIR	<1000	8.85 - .0038H	NOT APPLICABLE
12	CONDENSING;		1000 5.10		NOT APPLICABLE
13	NOT REMOTE				
14	COMPRESSOR				
15	REMOTE	AIR	<934	8.85 - .0038H	NOT APPLICABLE
16	CONDENSING		934	5.30	NOT APPLICABLE
17	& COMPRESSOR				
18	SELF-	WATER	<200	11.40 - .019H	191 - .0315H
19	CONTAINED		200	7.60	191 - .0315H
20	SELF-	AIR	<175	18 - .0469H	NOT APPLICABLE
21	CONTAINED		175	9.80	NOT APPLICABLE

22 (2) FOR PURPOSES OF THIS SECTION:

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

26 (b) "ICE-MAKING HEAD" INCLUDES ALL AUTOMATIC COMMERCIAL
27 ICE CUBE MACHINES THAT ARE NOT SPLIT SYSTEM ICE-MAKERS OR

1 SELF-CONTAINED MODELS AS DEFINED IN STANDARD NUMBER ARI
2 810-2003 AS PUBLISHED BY THE AIR-CONDITIONING AND REFRIGERATION
3 INSTITUTE, ALSO REFERRED TO IN THIS SUBSECTION (2) AS ARI.

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

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

9
10 **6-7-205. Applicable standards - commercial pre-rinse spray**
11 **valves.** COMMERCIAL PRE-RINSE SPRAY VALVES SHALL HAVE A FLOW
12 RATE NO GREATER THAN 1.6 GALLONS PER MINUTE WHEN MEASURED IN
13 ACCORDANCE WITH THE AMERICAN SOCIETY FOR TESTING AND MATERIALS
14 (ASTM) "STANDARD TEST METHOD FOR PRE-RINSE SPRAY VALVES",
15 ASTM F2324-03.

16 **6-7-206. Applicable standards - commercial refrigerators and**
17 **freezers - definitions.** (1) THE DAILY ENERGY CONSUMPTION OF
18 COMMERCIAL REFRIGERATORS AND FREEZERS SHALL NOT EXCEED THE
19 APPLICABLE VALUES AS FOLLOWS:

20 EQUIPMENT	DOORS	MAXIMUM DAILY
21 TYPE		ENERGY
		22 CONSUMPTION (KWH)
23 REFRIGERATORS	SOLID	0.10V + 2.04
	TRANSPARENT	0.12V + 3.34
25 PULLDOWN	TRANSPARENT	0.126V + 3.51
26 REFRIGERATORS		
27 FREEZERS	SOLID	0.40V + 1.38

1 CONSUMPTION OF AUDIO, VIDEO, AND RELATED EQUIPMENT".

2 **6-7-208. Applicable standards - illuminated exit signs.**

3 ILLUMINATED EXIT SIGNS SHALL HAVE AN INPUT POWER DEMAND OF NOT
4 MORE THAN FIVE WATTS PER ILLUMINATED FACE, MEASURED IN
5 ACCORDANCE WITH THE UNITED STATES ENVIRONMENTAL PROTECTION
6 AGENCY'S "ENERGY STAR" EXIT SIGN PROGRAM (VERSION 3.0) CONDITIONS
7 FOR TESTING, AND SHALL MEET ALL APPLICABLE BUILDING AND SAFETY
8 CODES.

9 **6-7-209. Applicable standards - large packaged air
10 conditioning equipment.** (1) LARGE PACKAGED AIR CONDITIONING

11 EQUIPMENT SHALL MEET THE FOLLOWING APPLICABLE ENERGY EFFICIENCY
12 RATIOS (EER):

13 (a) 10.0 EER FOR AIR-CONDITIONING EQUIPMENT WITHOUT AN
14 INTEGRATED HEATING COMPONENT OR WITH ELECTRIC RESISTANCE
15 HEATING INTEGRATED INTO THE UNIT;

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

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

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

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

27 (3) FOR PURPOSES OF THIS SECTION, ENERGY EFFICIENCY SHALL BE

1 MEASURED IN ACCORDANCE WITH AMERICAN NATIONAL STANDARDS
2 INSTITUTE (ANSI)/AMERICAN SOCIETY OF HEATING, REFRIGERATING, AND
3 AIR CONDITIONING ENGINEERS (ASHRAE) TEST METHOD 340/360-2000.

4 **6-7-210. Applicable standards - low-voltage, dry-type**
5 **distribution transformers.** LOW-VOLTAGE, DRY-TYPE DISTRIBUTION
6 TRANSFORMERS SHALL MEET THE CLASS 1 EFFICIENCY LEVELS FOR LOW
7 VOLTAGE DISTRIBUTION TRANSFORMERS SPECIFIED IN TABLE 4-2 OF THE
8 "GUIDE FOR DETERMINING ENERGY EFFICIENCY FOR DISTRIBUTION
9 TRANSFORMERS" PUBLISHED BY THE NATIONAL ELECTRICAL
10 MANUFACTURERS ASSOCIATION (NEMA), STANDARD TP-1-2002.

11 **6-7-211. Applicable standards - metal halide lamp fixtures.**
12 METAL HALIDE LAMP FIXTURES DESIGNED TO BE OPERATED WITH LAMPS
13 RATED AT LEAST ONE HUNDRED FIFTY WATTS BUT NO MORE THAN FIVE
14 HUNDRED WATTS SHALL NOT CONTAIN A PROBE-START METAL HALIDE
15 LAMP BALLAST.

16 **6-7-212. Applicable standards - single-voltage external AC to**
17 **DC power supplies.** (1) SINGLE-VOLTAGE EXTERNAL AC TO DC POWER
18 SUPPLIES SHALL MEET THE FOLLOWING REQUIREMENTS:

19 NAMEPLATE OUTPUT	MINIMUM EFFICIENCY (ACTIVE MODE)
20 < 1 WATT	0.49 X NAMEPLATE OUTPUT
21 1 WATT - 49 WATTS	$0.09 \times \ln(\text{NAMEPLATE OUTPUT}) + 0.49$
22 > 49 WATTS	0.84
23 NAMEPLATE OUTPUT	MAXIMUM ENERGY CONSUMPTION
	(NO-LOAD MODE)
25 < 10 WATTS	0.5 WATTS
26 10 WATTS - 250 WATTS	0.75 WATTS

27 (2) FOR PURPOSES OF THIS SECTION:

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

3 (b) EFFICIENCY OF SINGLE-VOLTAGE EXTERNAL AC TO DC POWER
4 SUPPLIES SHALL BE MEASURED IN ACCORDANCE WITH THE UNITED STATES
5 ENVIRONMENTAL PROTECTION AGENCY'S [REDACTED] TEST METHODOLOGY
6 INCLUDED IN THE "ENERGY STAR" PROGRAM REQUIREMENTS FOR
7 SINGLE-VOLTAGE EXTERNAL AC TO DC AND AC TO AC POWER SUPPLIES
8 PUBLISHED IN JANUARY, 2005.

9 **6-7-213. Applicable standards - state-regulated incandescent**
10 **reflector lamps.** (1) STATE-REGULATED INCANDESCENT REFLECTOR
11 LAMPS SHALL MEET THE FOLLOWING MINIMUM EFFICACIES:

12 WATTAGE	MINIMUM EFFICACY (LUMENS PER WATT)
13 40 - 50	10.5
14 51 - 66	11.0
15 67 - 85	12.5
16 86 - 115	14.0
17 116 - 155	14.5
18 156 - 205	15.0

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

21 **6-7-214. Applicable standards - torchiere fixtures.** A
22 TORCHIERE FIXTURE SHALL NOT CONSUME MORE THAN ONE HUNDRED
23 NINETY WATTS IF ANY COMMERCIALY AVAILABLE LAMP OR COMBINATION
24 OF LAMPS CAN BE INSERTED IN ITS SOCKET AND CAUSE THE TORCHIERE TO
25 DRAW MORE THAN ONE HUNDRED NINETY WATTS WHEN OPERATED AT FULL
26 BRIGHTNESS.

27 **6-7-215. Applicable standards - traffic signal modules.**

1 (1) TRAFFIC SIGNAL MODULES SHALL BE INSTALLED WITH COMPATIBLE,
 2 ELECTRONICALLY-CONNECTED SIGNAL CONTROL INTERFACE DEVICES AND
 3 CONFLICT MONITORING SYSTEMS AND SHALL HAVE MAXIMUM AND
 4 NOMINAL WATTAGE THAT DO NOT EXCEED THE FOLLOWING APPLICABLE
 5 VALUES:

6	MODULE TYPE	MAXIMUM WATTAGE	NOMINAL WATTAGE
7		(AT 74° C)	(AT 25° C)
8	12" RED BALL (OR	17	11
9	300 MM CIRCULAR)		
10	8" RED BALL (OR	13	8
11	200 MM CIRCULAR)		
12	12" RED ARROW (OR	12	9
13	300 MM ARROW)		
14	12" GREEN BALL (OR	15	15
15	300 MM CIRCULAR)		
16	8" GREEN BALL (OR	12	12
17	200 MM CIRCULAR)		
18	12" GREEN ARROW	11	11
19	(OR 300 MM ARROW)		

20 (2) FOR PURPOSES OF THIS SECTION, MAXIMUM WATTAGE AND
 21 NOMINAL WATTAGE SHALL BE MEASURED IN ACCORDANCE WITH, AND
 22 UNDER THE TESTING CONDITIONS SPECIFIED BY, THE INSTITUTE FOR
 23 TRANSPORTATION ENGINEERS (ITE) "INTERIM LED PURCHASE
 24 SPECIFICATION, VEHICLE TRAFFIC CONTROL SIGNAL HEADS, PART 2:
 25 LIGHT EMITTING DIODE (LED) VEHICLE TRAFFIC SIGNAL MODULES".

26 **6-7-216. Applicable standards - unit heaters.** NATURAL
 27 GAS-FIRED UNIT HEATERS SHALL BE EQUIPPED WITH INTERMITTENT

1 IGNITION DEVICES AND SHALL HAVE EITHER POWER VENTING OR AN
2 AUTOMATIC FLUE DAMPER.

3 **6-7-217. Applicable standards - swimming pool pump motors.**

4 SWIMMING POOL PUMP MOTORS SHALL NOT BE SPLIT-PHASE OR CAPACITOR
5 START-INDUCTION RUN TYPE. ALL SWIMMING POOL PUMP MOTORS WITH
6 TOTAL CAPACITY OF AT LEAST ONE HORSEPOWER (HP) SHALL HAVE THE
7 ABILITY TO OPERATE AT A MINIMUM OF TWO SPEEDS, AND THE LOW SPEED
8 SHALL HAVE A ROTATION RATE THAT IS NO MORE THAN HALF OF THE
9 MOTOR'S MAXIMUM ROTATION RATE. ALL POOL PUMP MOTOR CONTROLS
10 SHALL HAVE THE ABILITY TO OPERATE THE POOL PUMP AT A MINIMUM OF
11 TWO SPEEDS. THE DEFAULT CIRCULATION SPEED SHALL BE THE LOWEST
12 SPEED, AND ANY HIGH-SPEED OVERRIDE CAPABILITY SHALL BE FOR A
13 TEMPORARY PERIOD, NOT TO EXCEED ONE NORMAL CYCLE.

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

16 **6-1-105. Deceptive trade practices.** (1) A person engages in a
17 deceptive trade practice when, in the course of such person's business,
18 vocation, or occupation, such person:

19 (xx) KNOWINGLY SELLS OR INSTALLS A PRODUCT THAT DOES NOT
20 MEET OR EXCEED AN APPLICABLE ENERGY EFFICIENCY STANDARD SET
21 FORTH IN PART 2 OF ARTICLE 7 OF THIS TITLE IN VIOLATION OF SECTION
22 6-7-203.

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

25 **6-7-104. Exemptions from this part 1.** The standards set forth
26 in this ~~article~~ PART 1 shall not apply to the design and construction or
27 renovation of private garages, carports, sheds, agricultural buildings,

1 tanks, factory-constructed housing, towers, and those buildings ~~which~~
2 THAT have been designated as historic by the governing body of a county
3 or municipality or ~~which~~ THAT have been included on the state register of
4 historic properties pursuant to article 80.1 of title 24, C.R.S., or the
5 national register of historic places maintained pursuant to 16 U.S.C. sec.
6 470a.

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

9 **6-7-106. Building permits.** (1) No building permit shall be
10 issued for the construction or renovation of any residential buildings in
11 any area under the jurisdiction of a local government ~~on or after October~~
12 ~~1, 1977,~~ unless such construction or renovation will conform to the
13 provisions of this ~~article~~ PART 1. The local building inspector shall
14 inspect all places not inspected by the division of housing pursuant to part
15 7 of article 32 of title 24, C.R.S., to determine whether such places are in
16 compliance with the insulation standards required by this ~~article~~ PART 1.

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

25 **SECTION 7. Effective date.** This act shall take effect at 12:01
26 a.m. on the day following the expiration of the ninety-day period after
27 final adjournment of the general assembly that is allowed for submitting

1 a referendum petition pursuant to article V, section 1 (3) of the state
2 constitution (August 10, 2005, if adjournment sine die is on May 11,
3 2005); except that, if a referendum petition is filed against this act or an
4 item, section, or part of this act within such period, then the act, item,
5 section, or part, if approved by the people, shall take effect on the date of
6 the official declaration of the vote thereon by proclamation of the
7 governor.