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By: **Senators Pinsky, Britt, Conway, Exum, Forehand, Frosh, Garagiola, Gladden, Green, Grosfeld, Kelley, Lawlah, Schrader, Stone, and Teitelbaum**

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Committee Report: Favorable with amendments  
Senate action: Adopted  
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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Maryland Energy Efficiency Standards Act**

3 FOR the purpose of requiring the Maryland Energy Administration to adopt  
4 regulations ~~establishing~~ by a certain date to establish certain minimum energy  
5 efficiency standards for certain new products sold in the State; prohibiting  
6 certain new products from being sold or offered for sale in the State on or after  
7 certain dates unless the products meet the minimum energy efficiency  
8 standards; prohibiting certain new products from being installed in the State on  
9 or after a certain date unless the products meet the minimum energy efficiency  
10 standards; authorizing the Administration to delay the effective date of certain  
11 standards for up to a certain period in certain circumstances; requiring the  
12 Administration to adopt certain testing procedures and labeling requirements;  
13 providing for the certification of new products; authorizing the Administration  
14 to test certain products and make certain inspections to determine compliance;  
15 requiring the Administration to work with the Department of Housing and  
16 Community Development regarding certain inspections; authorizing the  
17 Administration to investigate certain complaints; authorizing the Attorney  
18 General to institute certain enforcement proceedings; providing for certain  
19 penalties; providing for the application of this Act; requiring the Administration  
20 to monitor a certain study, to conduct a certain assessment, and to report by a  
21 certain date; defining certain terms; requiring the Governor, upon a certain  
22 contingency, to reassign a certain obligation under this Act to a certain State  
23 agency; providing for the termination of a portion of this Act; and generally  
24 relating to energy efficiency standards for certain products.

1 BY adding to  
 2 Article - State Government  
 3 Section 9-2006  
 4 Annotated Code of Maryland  
 5 (1999 Replacement Volume and 2002 Supplement)

6 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
 7 MARYLAND, That the Laws of Maryland read as follows:

8 **Article - State Government**

9 9-2006.

10 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS  
 11 INDICATED.

12 (2) ~~(4)~~ "CEILING FAN" MEANS A NONPORTABLE DEVICE THAT IS  
 13 SUSPENDED FROM A CEILING FOR THE PURPOSE OF CIRCULATING AIR VIA THE  
 14 ROTATION OF FAN BLADES.

15 ~~(4)~~ (3) "CEILING FAN LIGHT KIT" MEANS ~~THE~~ EQUIPMENT  
 16 DESIGNED TO PROVIDE LIGHT FROM A CEILING FAN. ~~THIS EQUIPMENT, WHICH CAN~~  
 17 BE:

18 ~~+~~ (I) INTEGRAL, SUCH THAT THE ~~CEILING FAN LIGHT KIT~~  
 19 EQUIPMENT IS HARDWIRED TO THE CEILING FAN; OR

20 ~~2:~~ (II) ATTACHABLE, SUCH THAT AT THE TIME OF SALE  
 21 ~~THE CEILING FAN LIGHT KIT EQUIPMENT~~ IS NOT PHYSICALLY ATTACHED TO THE  
 22 CEILING FAN; BUT MAY BE INCLUDED INSIDE THE CEILING FAN PACKAGE AT THE  
 23 TIME OF SALE OR SOLD SEPARATELY FOR SUBSEQUENT ATTACHMENT TO THE FAN.

24 ~~(3)~~ (4) "COMMERCIAL CLOTHES WASHER" MEANS A SOFT MOUNT  
 25 FRONT-LOADING OR SOFT MOUNT TOP-LOADING CLOTHES WASHER THAT IS  
 26 DESIGNED FOR USE IN:

27 (I) APPLICATIONS WHERE THE OCCUPANTS OF MORE THAN ONE  
 28 HOUSEHOLD WILL BE USING IT, INCLUDING MULTIFAMILY HOUSING COMMON  
 29 AREAS AND COIN LAUNDRIES; OR

30 (II) OTHER COMMERCIAL APPLICATIONS, IF THE CLOTHES  
 31 CONTAINER COMPARTMENT IS NOT GREATER THAN:

32 1. 3.5 CUBIC FEET FOR HORIZONTAL-AXIS CLOTHES  
 33 WASHERS; OR

34 2. 4.0 CUBIC FEET FOR VERTICAL-AXIS CLOTHES WASHERS.

1           ~~(4)~~   (5)    (I)    "COMMERCIAL REFRIGERATION CABINET" MEANS A  
2 REFRIGERATOR, FREEZER, OR REFRIGERATOR-FREEZER DESIGNED FOR USE BY  
3 COMMERCIAL OR INSTITUTIONAL FACILITIES FOR THE PURPOSE OF STORING FOOD  
4 PRODUCTS, ICE, OR OTHER PERISHABLE ITEMS AT SPECIFIED TEMPERATURES AND  
5 THAT MAY BE CONFIGURED WITH EITHER SOLID OR TRANSPARENT DOORS AS A:

- 6                                   1.       REACH-IN CABINET;  
7                                   2.       PASS-THROUGH CABINET;  
8                                   3.       ROLL-IN CABINET; OR  
9                                   4.       ROLL-THROUGH CABINET.

10                   (II)   "COMMERCIAL REFRIGERATION CABINET" DOES NOT INCLUDE:

- 11                                   1.       ~~PRODUCTS~~ A PRODUCT WITH 85 CUBIC FEET OR MORE OF  
12 INTERNAL VOLUME;  
13                                   2.       A WALK-IN REFRIGERATOR ~~REFRIGERATORS~~ REFRIGERATOR OR WALK-IN  
14 ~~FREEZERS~~ FREEZER; OR  
15                                   3.       A CONSUMER ~~PRODUCTS~~ PRODUCT REGULATED UNDER  
16 THE NATIONAL APPLIANCE ENERGY CONSERVATION ACT OF 1987 (PUBLIC LAW  
17 100-12).

18                   ~~(5)~~    "~~DIGITAL CABLE TELEVISION BOX~~" MEANS ~~A DEVICE THAT ACTS AS A~~  
19 ~~TUNER FOR CABLE TELEVISION PROGRAMMING AND CONVERTS DIGITAL SIGNALS~~  
20 ~~RECEIVED FROM A CABLE SERVICE PROVIDER TO A SIGNAL USABLE BY A~~  
21 ~~TELEVISION SET.~~

22                   ~~(6)~~    "~~DIGITAL TELEVISION CONVERTER BOX~~" MEANS ~~A DEVICE THAT~~  
23 ~~RECEIVES AND DECODES DIGITAL SIGNALS FOR DISPLAY BY AN ANALOG TELEVISION~~  
24 ~~SET.~~

25                   ~~(7)~~    (6)    "ILLUMINATED EXIT SIGN" MEANS AN INTERNALLY  
26 ILLUMINATED SIGN THAT IS DESIGNED TO BE PERMANENTLY FIXED IN PLACE TO  
27 IDENTIFY AN EXIT AND THE BACKGROUND OF WHICH IS NOT TRANSPARENT.

28                   ~~(8)~~    (7)    " LARGE PACKAGED AIR-CONDITIONING EQUIPMENT" MEANS  
29 PACKAGED AIR-CONDITIONING EQUIPMENT WITH OVER 20 TONS OF COOLING  
30 CAPACITY.

31                   ~~(9)~~    (8)    (1)    "LOW-VOLTAGE DRY-TYPE DISTRIBUTION  
32 TRANSFORMER" MEANS A DISTRIBUTION TRANSFORMER THAT:

- 33                                   ~~(A)~~    1.       HAS AN INPUT VOLTAGE OF 600 VOLTS OR LESS;  
34                                   ~~(B)~~    2.       IS AIR-COOLED; AND  
35                                   ~~(C)~~    3.       DOES NOT USE OIL AS A COOLANT.

1 (II) "LOW-VOLTAGE DRY-TYPE DISTRIBUTION TRANSFORMER"  
2 DOES NOT INCLUDE ANY OF THE FOLLOWING TRANSFORMERS:

3 1. AN AUTOTRANSFORMER IN WHICH THE PRIMARY AND  
4 SECONDARY WINDINGS ARE NOT ELECTRONICALLY ISOLATED AND AT LEAST A  
5 PORTION OF THE SECONDARY VOLTAGE IS DERIVED FROM THE PRIMARY WINDING;

6 2. A DRIVE TRANSFORMER DESIGNED ONLY TO PROVIDE  
7 POWER TO OPERATE AN ELECTRONIC VARIABLE SPEED MOTOR DRIVE;

8 3. A GROUNDING TRANSFORMER DESIGNED ONLY TO  
9 PROVIDE A SYSTEM GROUND REFERENCE POINT;

10 4. A HARMONIC TRANSFORMER DESIGNED TO SUPPLY A  
11 LOAD WITH A HIGHER THAN NORMAL HARMONIC CURRENT LEVEL AND THAT HAS A  
12 K-RATING OF K-4 OR GREATER;

13 5. AN IMPEDANCE TRANSFORMER THAT HAS A SPECIFIED  
14 IMPEDANCE OF LESS THAN 4% OR GREATER THAN 8%;

15 6. A MACHINE TOOL TRANSFORMER DESIGNED ONLY TO  
16 PROVIDE POWER TO MACHINE TOOL EQUIPMENT;

17 7. A RECTIFIER TRANSFORMER DESIGNED TO PROVIDE  
18 POWER ONLY TO A RECTIFIER CIRCUIT AND THAT HAS A NAMEPLATE RATING FOR  
19 BOTH THE FUNDAMENTAL FREQUENCY POWER RATING AND THE RMS POWER  
20 RATING;

21 8. A REGULATING TRANSFORMER WITH AUTOMATIC TAP  
22 CHANGERS;

23 9. A SEALED AND NONVENTILATING TRANSFORMER  
24 DESIGNED TO PREVENT AIRFLOW THROUGH THE TRANSFORMER;

25 10. A TESTING TRANSFORMER DESIGNED ONLY AS PART OF,  
26 OR TO SUPPLY POWER TO, ELECTRICAL TEST EQUIPMENT;

27 11. A UPS TRANSFORMER DESIGNED ONLY AS AN INTEGRAL  
28 PART OF AN UNINTERRUPTIBLE POWER SYSTEM; OR

29 12. A WELDING TRANSFORMER DESIGNED ONLY TO PROVIDE  
30 POWER TO WELDING EQUIPMENT.

31 ~~(10)~~ (9) "PACKAGED AIR-CONDITIONING EQUIPMENT" MEANS  
32 AIR-CONDITIONING EQUIPMENT THAT IS BUILT AS A PACKAGE AND SHIPPED AS A  
33 WHOLE TO END-USER SITES.

34 ~~(11)~~ (10) "PASS-THROUGH CABINET" MEANS A COMMERCIAL  
35 REFRIGERATOR OR COMMERCIAL FREEZER WITH HINGED OR SLIDING DOORS ON  
36 BOTH THE FRONT AND REAR OF THE REFRIGERATOR OR FREEZER.

1           ~~(12)~~   (11)   (I)    "REACH-IN CABINET" MEANS A COMMERCIAL  
2 REFRIGERATOR ~~OR~~ COMMERCIAL FREEZER, OR COMMERCIAL  
3 REFRIGERATOR-FREEZER WITH HINGED OR SLIDING DOORS OR LIDS, ~~BUT~~  
4 ~~EXCLUDES~~.

5                       (II)    "REACH-IN CABINET" DOES NOT INCLUDE A ROLL-IN OR  
6 ROLL-THROUGH ~~CABINETS~~ CABINET ~~AND OR A~~ PASS-THROUGH CABINETS CABINET.

7           ~~(13)~~   (12)    "ROLL-IN CABINET" MEANS A COMMERCIAL REFRIGERATOR OR  
8 COMMERCIAL FREEZER WITH HINGED OR SLIDING DOORS THAT ~~ALLOWS~~ ALLOW  
9 WHEELED RACKS OF PRODUCT TO BE ROLLED INTO THE REFRIGERATOR OR  
10 FREEZER.

11           ~~(14)~~   (13)    "ROLL-THROUGH CABINET" MEANS A COMMERCIAL  
12 REFRIGERATOR OR COMMERCIAL FREEZER WITH HINGED OR SLIDING DOORS THAT  
13 ~~ALLOWS~~ ALLOW WHEELED RACKS OF PRODUCT TO BE ROLLED THROUGH THE  
14 REFRIGERATOR OR FREEZER.

15           ~~(15)~~    "~~SET-TO-BOX~~" ~~MEANS A DIGITAL CABLE TELEVISION BOX,~~  
16 ~~WIRELESS TELEVISION RECEIVER, OR DIGITAL TELEVISION CONVERTER BOX.~~

17           ~~(16)~~   (14)    "TORCHIERE LIGHTING FIXTURE" MEANS A PORTABLE  
18 ELECTRIC LIGHTING FIXTURE WITH A REFLECTOR BOWL GIVING LIGHT DIRECTED  
19 UPWARD SO AS TO GIVE INDIRECT ILLUMINATION.

20           ~~(17)~~   (15)    "TRAFFIC SIGNAL" MEANS A DEVICE CONSISTING OF A SET OF  
21 SIGNAL LIGHTS OPERATING IN SEQUENCE AND PLACED AT INTERSECTIONS TO  
22 REGULATE TRAFFIC.

23           ~~(18)~~   (16)    "TRAFFIC SIGNAL MODULE" MEANS A STANDARD 8-INCH  
24 (200MM) OR 12-INCH (300MM) ROUND TRAFFIC SIGNAL INDICATION THAT:

25                       (I)    CONSISTS OF A LIGHT SOURCE, LENS, AND ALL PARTS  
26 NECESSARY FOR OPERATION; AND

27                       (II)    COMMUNICATES MOVEMENT MESSAGES TO DRIVERS  
28 THROUGH RED, AMBER, AND GREEN COLORS.

29           ~~(19)~~   (17)    "TRANSFORMER" MEANS A DEVICE CONSISTING ESSENTIALLY  
30 OF TWO OR MORE COILS OF INSULATED WIRE THAT TRANSFERS ALTERNATING  
31 CURRENT BY ELECTROMAGNETIC INDUCTION FROM ONE COIL TO ANOTHER IN  
32 ORDER TO CHANGE THE ORIGINAL VOLTAGE OR CURRENT VALUE.

33           ~~(20)~~   (18)    (I)    "UNIT HEATER" MEANS A SELF-CONTAINED FAN-TYPE  
34 HEATER THAT:

35   1.    IS DESIGNED TO BE INSTALLED WITHIN THE HEATED  
36 SPACE; AND

1 2. INCLUDES AN APPARATUS OR APPLIANCE TO SUPPLY  
 2 HEAT AND A FAN FOR CIRCULATING AIR OVER A HEAT EXCHANGE SURFACE, ALL  
 3 ENCLOSED IN A COMMON CASING.

4 (II) "UNIT HEATER" DOES NOT INCLUDE ~~A~~ "WARM AIR FURNACES  
 5 FURNACE" AS SPECIFICALLY DEFINED UNDER THE FEDERAL ENERGY POLICY ACT OF  
 6 1992.

7 ~~(21) "WIRELESS TELEVISION RECEIVER" MEANS A DEVICE USED IN  
 8 CONJUNCTION WITH A DISH ANTENNA TO RECEIVE SATELLITE OR OTHER WIRELESS  
 9 TELEVISION PROGRAMMING, AND THAT CONVERTS SIGNALS FROM A DISH ANTENNA  
 10 FOR USE BY A TELEVISION SET.~~

11 (B) (1) THIS SECTION APPLIES TO THE TESTING, CERTIFICATION, AND  
 12 ENFORCEMENT OF EFFICIENCY STANDARDS FOR THE FOLLOWING TYPES OF NEW  
 13 PRODUCTS SOLD, OFFERED FOR SALE, OR INSTALLED IN THE STATE:

- 14 (I) TORCHIERE LIGHTING FIXTURES;
- 15 (II) UNIT HEATERS;
- 16 (III) LOW-VOLTAGE DRY-TYPE DISTRIBUTION TRANSFORMERS;
- 17 (IV) CEILING FANS AND CEILING FAN LIGHT KITS;
- 18 (V) TRAFFIC SIGNAL MODULES;
- 19 (VI) ILLUMINATED EXIT SIGNS;
- 20 (VII) COMMERCIAL REFRIGERATION CABINETS;
- 21 (VIII) LARGE PACKAGED AIR-CONDITIONING EQUIPMENT; AND
- 22 (IX) ~~SET-TOP BOXES; AND~~
- 23 ~~(X) COMMERCIAL CLOTHES WASHERS.~~

24 (2) THIS SECTION DOES NOT APPLY TO:

25 (I) NEW PRODUCTS MANUFACTURED IN THE STATE AND SOLD  
 26 OUTSIDE THE STATE;

27 (II) NEW PRODUCTS MANUFACTURED OUTSIDE THE STATE AND  
 28 SOLD AT WHOLESALE INSIDE THE STATE FOR FINAL RETAIL SALE AND  
 29 INSTALLATION OUTSIDE THE STATE;

30 (III) PRODUCTS INSTALLED IN MOBILE MANUFACTURED HOMES AT  
 31 THE TIME OF CONSTRUCTION; OR

32 (IV) PRODUCTS DESIGNED EXPRESSLY FOR INSTALLATION AND USE  
 33 IN RECREATIONAL VEHICLES.

1 (C) (1) ON OR BEFORE JANUARY 1, 2004, THE ADMINISTRATION SHALL  
 2 ADOPT REGULATIONS ESTABLISHING MINIMUM EFFICIENCY STANDARDS FOR THE  
 3 TYPES OF NEW PRODUCTS SET FORTH IN SUBSECTION (B)(1) OF THIS SECTION.

4 (2) THE REGULATIONS SHALL PROVIDE FOR THE FOLLOWING MINIMUM  
 5 EFFICIENCY STANDARDS:

6 (I) TORCHIERE FIXTURES MAY NOT CONSUME MORE THAN 190  
 7 WATTS AND MAY NOT BE CAPABLE OF OPERATING WITH LAMPS THAT TOTAL MORE  
 8 THAN 190 WATTS;

9 (II) UNIT HEATERS MAY NOT HAVE PILOT LIGHTS AND SHALL HAVE  
 10 EITHER POWER VENTING OR AN AUTOMATIC FLUE DAMPER;

11 (III) THE EFFICIENCY OF ALL LOW-VOLTAGE DRY-TYPE  
 12 DISTRIBUTION TRANSFORMERS ~~SHALL BE NOT~~ MAY NOT BE LESS THAN THE VALUES  
 13 SHOWN IN TABLE 4-2 OF NATIONAL ELECTRICAL MANUFACTURERS ASSOCIATION  
 14 STANDARD TP-1-2002;

15 (IV) CEILING FANS AND CEILING FAN LIGHT KITS SHALL MEET THE  
 16 TIER 1 CRITERIA OF VERSION 1.1 OF THE PRODUCT SPECIFICATION CONTAINED IN  
 17 THE "ENERGY STAR PROGRAM REQUIREMENTS FOR RESIDENTIAL CEILING FANS",  
 18 DEVELOPED BY THE U. S. ENVIRONMENTAL PROTECTION AGENCY ~~AND~~ THAT TOOK  
 19 EFFECT ON JANUARY 1, 2002;

20 (V) TRAFFIC SIGNAL MODULES SHALL:

21 1. MEET THE REQUIREMENTS OF THE "ENERGY STAR  
 22 PROGRAM REQUIREMENTS FOR TRAFFIC SIGNALS" DEVELOPED BY THE U.S.  
 23 ENVIRONMENTAL PROTECTION AGENCY ~~AND~~ THAT TOOK EFFECT IN FEBRUARY 2001;  
 24 AND

25 2. BE INSTALLED WITH COMPATIBLE,  
 26 ELECTRICALLY-CONNECTED SIGNAL CONTROL INTERFACE DEVICES AND CONFLICT  
 27 MONITORING SYSTEMS;

28 (VI) ILLUMINATED EXIT SIGNS SHALL MEET THE REQUIREMENTS  
 29 OF THE "ENERGY STAR PROGRAM REQUIREMENTS FOR EXIT SIGNS" DEVELOPED BY  
 30 THE U.S. ENVIRONMENTAL PROTECTION AGENCY ~~AND~~ THAT TOOK EFFECT ON  
 31 JANUARY 1, 1999;

32 (VII) COMMERCIAL REFRIGERATION CABINETS SHALL MEET THE  
 33 REQUIREMENTS SHOWN IN THE FOLLOWING TABLE IN WHICH "V" MEANS TOTAL  
 34 VOLUME IN CUBIC FEET AND "AV" MEANS ADJUSTED VOLUME, WHICH IS THE SUM OF  
 35 THE VOLUME OF REFRIGERATED SPACE AND 1.63 TIMES THE VOLUME OF FREEZER  
 36 SPACE:

| 37 EQUIPMENT TYPE | 38 MAXIMUM DAILY<br>39 ENERGY CONSUMPTION<br>(KILOWATT HOURS) |
|-------------------|---|
|-------------------|---|

1 REACH-IN CABINETS, PASS-THROUGH 0.125V + 2.76  
 2 CABINETS, AND ROLL-IN OR  
 3 ROLL-THROUGH CABINETS THAT ARE  
 4 REFRIGERATORS WITH SOLID DOORS

5 REACH-IN CABINETS, PASS-THROUGH 0.172V + 4.77  
 6 CABINETS, AND ROLL-IN OR  
 7 ROLL-THROUGH CABINETS THAT ARE  
 8 REFRIGERATORS WITH TRANSPARENT  
 9 DOORS

10 REACH-IN CABINETS, PASS-THROUGH 0.398V + 2.28  
 11 CABINETS, AND ROLL-IN OR  
 12 ROLL-THROUGH CABINETS THAT ARE  
 13 FREEZERS WITH SOLID DOORS

14 REACH-IN CABINETS, PASS-THROUGH 0.940V + 5.10  
 15 CABINETS, AND ROLL-IN OR  
 16 ROLL-THROUGH CABINETS THAT ARE  
 17 FREEZERS WITH TRANSPARENT DOORS

18 REACH-IN CABINETS THAT 0.273AV + 1.65  
 19 ARE REFRIGERATOR-FREEZERS WITH  
 20 SOLID DOORS

21 (VIII) LARGE PACKAGED AIR-CONDITIONING EQUIPMENT SHALL  
 22 MEET THE TIER II REQUIREMENTS OF THE "MINIMUM EQUIPMENT EFFICIENCIES  
 23 FOR UNITARY COMMERCIAL AIR CONDITIONERS" OR "MINIMUM EQUIPMENT  
 24 EFFICIENCIES FOR HEAT PUMPS", AS APPROPRIATE, DEVELOPED BY THE  
 25 CONSORTIUM FOR ENERGY EFFICIENCY, BOSTON, MASSACHUSETTS, AS IN EFFECT  
 26 ON JANUARY 1, 2002; AND

27 ~~(IX) SET TOP BOXES SHALL MEET THE TIER 2 CRITERIA OF THE~~  
 28 ~~"ENERGY STAR PROGRAM REQUIREMENTS FOR SET TOP BOXES" DEVELOPED BY THE~~  
 29 ~~U.S. ENVIRONMENTAL PROTECTION AGENCY AND THAT TOOK EFFECT ON JANUARY~~  
 30 ~~1, 2001; AND~~

31 ~~(X)~~ (IX) COMMERCIAL CLOTHES WASHERS SHALL HAVE A  
 32 MINIMUM MODIFIED ENERGY FACTOR OF 1.26 AND A MAXIMUM WATER  
 33 CONSUMPTION FACTOR OF 9.5, AS MEASURED IN ACCORDANCE WITH THE FEDERAL  
 34 TEST METHOD FOR CLOTHES WASHERS AS DEFINED IN 10 C.F.R., SECTION 430.23(J)  
 35 (APPENDIX J1 TO SUBPART B OF PART 430) (2001).

36 (D) (1) (I) EXCEPT AS PROVIDED IN ~~SUBPARAGRAPH (II)~~ SUBPARAGRAPHS  
 37 (II) AND (III) OF THIS PARAGRAPH, ON OR AFTER ~~JANUARY~~ MARCH 1, 2005, A NEW  
 38 PRODUCT OF ANY TYPE SET FORTH IN SUBSECTION (B)(1) OF THIS SECTION MAY NOT  
 39 BE SOLD OR OFFERED FOR SALE IN THE STATE UNLESS THE EFFICIENCY OF THE  
 40 NEW PRODUCT MEETS OR EXCEEDS THE EFFICIENCY STANDARDS SET FORTH IN THE  
 41 REGULATIONS ADOPTED UNDER SUBSECTION (C) OF THIS SECTION.

42 (II) WITH RESPECT TO CEILING FAN LIGHT KITS, ENERGY  
 43 EFFICIENCY STANDARDS MAY NOT TAKE EFFECT UNTIL MARCH 1, 2007.



1                   ~~(H)~~    (III)    WITH RESPECT TO COMMERCIAL CLOTHES WASHERS,  
2 ~~WATER~~ EFFICIENCY STANDARDS MAY NOT TAKE EFFECT UNTIL ~~JANUARY~~ MARCH 1,  
3 2007.

4                   (2)    (I)    THIS PARAGRAPH DOES NOT APPLY TO A PRODUCT THAT IS  
5 SOLD BEFORE THE APPLICABLE DATE UNDER PARAGRAPH (1) OF THIS SUBSECTION.

6                   (II)    EXCEPT AS PROVIDED IN ~~SUBPARAGRAPH (H)~~ SUBPARAGRAPHS  
7 (III) AND (IV) OF THIS PARAGRAPH, ON OR AFTER JANUARY 1, 2006, A NEW PRODUCT  
8 OF A TYPE SET FORTH IN SUBSECTION (B)(1) OF THIS SECTION MAY NOT BE  
9 INSTALLED IN THE STATE UNLESS THE EFFICIENCY OF THE NEW PRODUCT MEETS  
10 OR EXCEEDS THE EFFICIENCY STANDARDS SET FORTH IN THE REGULATIONS  
11 ADOPTED UNDER SUBSECTION (C) OF THIS SECTION.

12                   (III)    CEILING FAN LIGHT KITS THAT DO NOT MEET THE ENERGY  
13 EFFICIENCY STANDARDS MAY BE INSTALLED IN THE STATE UNTIL JANUARY 1, 2008.

14                   ~~(H)~~    (IV)    COMMERCIAL CLOTHES WASHERS THAT DO NOT MEET  
15 THE ~~WATER~~ EFFICIENCY STANDARDS UNDER SUBSECTION (C)(2)~~(X)~~(IX) OF THIS  
16 SECTION MAY BE INSTALLED IN THE STATE UNTIL JANUARY 1, 2008.

17                   ~~(3)~~    ~~PARAGRAPH (2) OF THIS SUBSECTION DOES NOT APPLY TO A~~  
18 ~~PRODUCT THAT IS SOLD BEFORE THE APPLICABLE DATE STATED IN PARAGRAPH (1)~~  
19 ~~OF THIS SUBSECTION.~~

20                   (E)    (1)    BY REGULATION, THE ADMINISTRATION MAY CLARIFY BUT NOT  
21 EXPAND THE SCOPE OF THE DEVICES DEFINED UNDER SUBSECTION (A) OF THIS  
22 SECTION.

23                   ~~(4)~~    (2)    ON REQUEST OF A MARYLAND BUSINESS OR CONSUMER AND  
24 AFTER PUBLIC NOTICE AND COMMENT, THE ADMINISTRATION MAY DELAY THE  
25 EFFECTIVE DATE OF ANY STANDARD UNDER THIS SECTION BY NOT MORE THAN 1  
26 YEAR IF THE ADMINISTRATION DETERMINES THAT PRODUCTS CONFORMING TO THE  
27 STANDARD WILL NOT BE WIDELY AVAILABLE IN MARYLAND BY THE APPLICABLE  
28 DATE STATED IN ~~PARAGRAPH (1) OF THIS SUBSECTION~~ SUBSECTION (D)(1) OF THIS  
29 SECTION.

30                   ~~(E)~~    ~~BY REGULATION, THE ADMINISTRATION MAY CLARIFY BUT NOT EXPAND~~  
31 ~~THE SCOPE OF THE DEVICES DEFINED IN SUBSECTION (A) OF THIS SECTION.~~

32                   (F)    (1)    THE ADMINISTRATION SHALL ADOPT PROCEDURES FOR TESTING  
33 THE ENERGY EFFICIENCY OF THE NEW PRODUCTS LISTED IN SUBSECTION (B)(1) OF  
34 THIS SECTION IF TESTING PROCEDURES ARE NOT PROVIDED FOR IN THE MARYLAND  
35 BUILDING PERFORMANCE STANDARDS.

36                   (2)    THE ADMINISTRATION SHALL USE APPROPRIATE NATIONALLY  
37 RECOGNIZED TEST METHODS SUCH AS THOSE APPROVED BY THE UNITED STATES  
38 DEPARTMENT OF ENERGY.

1 (3) THE MANUFACTURERS OF NEW PRODUCTS LISTED IN SUBSECTION  
2 (B)(1) OF THIS SECTION SHALL CAUSE SAMPLES OF THEIR PRODUCTS TO BE TESTED  
3 IN ACCORDANCE WITH THE TEST PROCEDURES ADOPTED UNDER THIS SUBSECTION  
4 OR THOSE SPECIFIED IN THE MARYLAND BUILDING PERFORMANCE STANDARDS.

5 (G) (1) MANUFACTURERS OF NEW PRODUCTS LISTED IN SUBSECTION (B)(1)  
6 OF THIS SECTION SHALL CERTIFY TO THE ADMINISTRATION THAT THE PRODUCTS  
7 ARE IN COMPLIANCE WITH THE PROVISIONS OF THIS SECTION.

8 (2) THE ADMINISTRATION SHALL ADOPT REGULATIONS GOVERNING  
9 THE CERTIFICATION OF NEW PRODUCTS AND MAY COORDINATE WITH THE  
10 CERTIFICATION PROGRAMS OF OTHER STATES WITH SIMILAR STANDARDS.

11 (H) (1) MANUFACTURERS OF NEW PRODUCTS LISTED IN SUBSECTION (B)(1)  
12 OF THIS SECTION SHALL IDENTIFY EACH PRODUCT OFFERED FOR SALE OR  
13 INSTALLATION IN THE STATE AS IN COMPLIANCE WITH THE MINIMUM EFFICIENCY  
14 STANDARDS ESTABLISHED UNDER SUBSECTION (C) OF THIS SECTION BY MEANS OF A  
15 MARK, LABEL, OR TAG ON THE PRODUCT AND PACKAGING AT THE TIME OF SALE OR  
16 INSTALLATION.

17 (2) THE ADMINISTRATION SHALL ADOPT REGULATIONS GOVERNING  
18 THE IDENTIFICATION OF SUCH PRODUCTS AND PACKAGING WHICH SHALL BE  
19 COORDINATED TO THE GREATEST PRACTICAL EXTENT WITH THE LABELING  
20 PROGRAMS AND REQUIREMENTS OF OTHER STATES AND FEDERAL AGENCIES WITH  
21 EQUIVALENT EFFICIENCY STANDARDS.

22 (I) (1) THE ADMINISTRATION MAY TEST PRODUCTS LISTED IN SUBSECTION  
23 (B)(1) OF THIS SECTION USING AN ACCREDITED TESTING FACILITY.

24 (2) IF PRODUCTS TESTED ARE FOUND NOT TO BE IN COMPLIANCE WITH  
25 THE MINIMUM EFFICIENCY STANDARDS ESTABLISHED UNDER SUBSECTION (C) OF  
26 THIS SECTION, THE ADMINISTRATION SHALL:

27 (I) CHARGE THE MANUFACTURER OF THE PRODUCT FOR THE  
28 COST OF PRODUCT PURCHASE AND TESTING; AND

29 (II) MAKE INFORMATION AVAILABLE TO THE PUBLIC ON  
30 PRODUCTS FOUND NOT TO BE IN COMPLIANCE WITH THE STANDARDS.

31 (J) (1) WITH PRIOR NOTICE AND AT REASONABLE AND CONVENIENT  
32 HOURS, THE ADMINISTRATION MAY MAKE PERIODIC INSPECTIONS OF DISTRIBUTORS  
33 OR RETAILERS OF NEW PRODUCTS LISTED IN SUBSECTION (B)(1) OF THIS SECTION IN  
34 ORDER TO DETERMINE COMPLIANCE WITH THE PROVISIONS OF THIS SECTION.

35 (2) THE ADMINISTRATION SHALL COORDINATE WITH THE DEPARTMENT  
36 OF HOUSING AND COMMUNITY DEVELOPMENT REGARDING INSPECTIONS, PRIOR TO  
37 OCCUPANCY, OF BUILDING SITES NEWLY CONSTRUCTED BUILDINGS CONTAINING  
38 NEW PRODUCTS THAT ARE ALSO COVERED BY THE MARYLAND BUILDING  
39 PERFORMANCE STANDARDS.

1 (K) (1) THE ADMINISTRATION MAY INVESTIGATE COMPLAINTS RECEIVED  
2 CONCERNING VIOLATIONS OF THIS SECTION AND SHALL REPORT THE RESULTS OF  
3 AN INVESTIGATION TO THE ATTORNEY GENERAL.

4 (2) THE ATTORNEY GENERAL MAY INSTITUTE PROCEEDINGS TO  
5 ENFORCE THE PROVISIONS OF THIS SECTION.

6 (3) A MANUFACTURER, DISTRIBUTOR, OR RETAILER OF NEW PRODUCTS  
7 LISTED IN SUBSECTION (B)(1) OF THIS SECTION THAT VIOLATES ANY PROVISION OF  
8 THIS SECTION SHALL BE ISSUED A WARNING BY THE ADMINISTRATION FOR A FIRST  
9 VIOLATION.

10 (4) REPEAT VIOLATORS SHALL BE SUBJECT TO A CIVIL PENALTY OF NOT  
11 MORE THAN \$250.

12 (5) EACH VIOLATION OF THIS SECTION SHALL CONSTITUTE A SEPARATE  
13 OFFENSE AND EACH DAY THAT A VIOLATION CONTINUES SHALL CONSTITUTE A  
14 SEPARATE OFFENSE.

15 (6) PENALTIES ASSESSED UNDER THIS SUBSECTION ARE IN ADDITION  
16 TO COSTS ASSESSED UNDER SUBSECTION ~~(H)~~ (1)(2)(1) OF THIS SECTION.

17 (7) PENALTIES ASSESSED UNDER THIS SUBSECTION SHALL BE PAID  
18 INTO THE GENERAL FUND OF THE STATE.

19 SECTION 2. AND BE IT FURTHER ENACTED, That:

20 (1) (i) In this section the following terms have the meanings indicated.

21 (ii) "Digital cable television box" means a device that acts as a  
22 tuner for cable television programming and converts digital signals received from a  
23 cable service provider to a signal usable by a television set.

24 (iii) "Digital television converter box" means a device that:

25 1. receives and decodes digital broadcast signals for display  
26 by an analog television set; and

27 2. is not a digital cable television box.

28 (iv) "Set-top box" means a digital cable television box, wireless  
29 television receiver, or digital television converter box.

30 (v) "Wireless television receiver" means a device that:

31 1. is used in conjunction with a dish antenna to receive  
32 satellite or other wireless television programming; and

33 2. converts signals from a dish antenna for use by a  
34 television set.

1           (2)     The Director of the Maryland Energy Administration shall:

2                   (i)     Monitor the U.S. Environmental Protection Agency (EPA) study  
3 of standby energy consumption in set-top boxes and options for reduction of this  
4 energy consumption;

5                   (ii)     Within available funds, after any further appropriate  
6 consultation with the EPA so as not to duplicate effort, and after consultation with  
7 representatives of the State cable telecommunications industry, the State satellite  
8 broadcast industry, and State nonprofit advocates of energy conservation and  
9 efficiency, assess the technological and policy options for the reduction of standby  
10 energy consumption in set-top boxes sold and installed in Maryland; and

11                   (iii)    In accordance with § 2-1246 of the State Government Article,  
12 report to the General Assembly and the Governor by December 1, 2003, including all  
13 available information from the EPA study of this issue.

14     SECTION 3. AND BE IT FURTHER ENACTED, That if, by action of the  
15 General Assembly, the Maryland Energy Administration is unable to carry out its  
16 responsibilities under this Act, the Governor shall reassign the obligation to carry out  
17 these responsibilities to the Department of the Environment or any other appropriate  
18 State agency.

19     SECTION ~~2-4~~. AND BE IT FURTHER ENACTED, That this Act shall take  
20 effect July 1, 2003. Section 2 of this Act shall remain effective for a period of 6 months  
21 and, at the end of December 31, 2003, with no further action required by the General  
22 Assembly, Section 2 of this Act shall be abrogated and of no further force and effect.