
By: **Delegates McMillan, Boschert, Gilleland, and McDonough**

Introduced and read first time: February 11, 2005

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Energy Efficiency Standards - Ceiling Fans - Effective Dates**

3 FOR the purpose of extending the date until which ceiling fans that do not meet
4 certain energy efficiency standards may be sold, offered for sale, or installed in
5 the State; making this Act an emergency measure; and generally relating to
6 effective dates for energy efficiency standards for ceiling fans.

7 BY repealing and reenacting, with amendments,
8 Article - State Government
9 Section 9-2006
10 Annotated Code of Maryland
11 (2004 Replacement Volume)

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

14 **Article - State Government**

15 9-2006.

16 (a) (1) In this section the following words have the meanings indicated.

17 (2) "Ceiling fan" means a nonportable device that is suspended from a
18 ceiling for the purpose of circulating air via the rotation of fan blades.

19 (3) "Ceiling fan light kit" means equipment designed to provide light
20 from a ceiling fan, which can be:

21 (i) integral, such that the equipment is hardwired to the ceiling
22 fan; or

23 (ii) attachable, such that at the time of sale the equipment is not
24 physically attached to the ceiling fan but may be included inside the ceiling fan
25 package at the time of sale or sold separately for subsequent attachment to the fan.

1 (4) "Commercial clothes washer" means a soft mount front-loading or
2 soft mount top-loading clothes washer that is designed for use in:

3 (i) applications where the occupants of more than one household
4 will be using it, including multifamily housing common areas and coin laundries; or

5 (ii) other commercial applications, if the clothes container
6 compartment is not greater than:

7 1. 3.5 cubic feet for horizontal-axis clothes washers; or

8 2. 4.0 cubic feet for vertical-axis clothes washers.

9 (5) (i) "Commercial refrigeration cabinet" means a refrigerator,
10 freezer, or refrigerator-freezer designed for use by commercial or institutional
11 facilities for the purpose of storing food products, ice, or other perishable items at
12 specified temperatures and that may be configured with either solid or transparent
13 doors as a:

14 1. reach-in cabinet;

15 2. pass-through cabinet;

16 3. roll-in cabinet; or

17 4. roll-through cabinet.

18 (ii) "Commercial refrigeration cabinet" does not include:

19 1. a product with 85 cubic feet or more of internal volume;

20 2. a walk-in refrigerator or walk-in freezer; or

21 3. a consumer product regulated under the National
22 Appliance Energy Conservation Act of 1987 (Public Law 100-12).

23 (6) "Illuminated exit sign" means an internally illuminated sign that is
24 designed to be permanently fixed in place to identify an exit and the background of
25 which is not transparent.

26 (7) "Large packaged air-conditioning equipment" means packaged
27 air-conditioning equipment with over 20 tons of cooling capacity.

28 (8) (i) "Low-voltage dry-type distribution transformer" means a
29 distribution transformer that:

30 1. has an input voltage of 600 volts or less;

31 2. is air-cooled; and

32 3. does not use oil as a coolant.

1 (ii) "Low-voltage dry-type distribution transformer" does not
2 include any of the following transformers:

- 3 1. an autotransformer in which the primary and secondary
4 windings are not electronically isolated and at least a portion of the secondary voltage
5 is derived from the primary winding;
- 6 2. a drive transformer designed only to provide power to
7 operate an electronic variable speed motor drive;
- 8 3. a grounding transformer designed only to provide a
9 system ground reference point;
- 10 4. a harmonic transformer designed to supply a load with a
11 higher than normal harmonic current level and that has a k-rating of k-4 or greater;
- 12 5. an impedance transformer that has a specified impedance
13 of less than 4% or greater than 8%;
- 14 6. a machine tool transformer designed only to provide power
15 to machine tool equipment;
- 16 7. a rectifier transformer designed to provide power only to a
17 rectifier circuit and that has a nameplate rating for both the fundamental frequency
18 power rating and the RMS power rating;
- 19 8. a regulating transformer with automatic tap changers;
- 20 9. a sealed and nonventilating transformer designed to
21 prevent airflow through the transformer;
- 22 10. a testing transformer designed only as part of, or to supply
23 power to, electrical test equipment;
- 24 11. a UPS transformer designed only as an integral part of an
25 uninterruptible power system; or
- 26 12. a welding transformer designed only to provide power to
27 welding equipment.

28 (9) "Packaged air-conditioning equipment" means air-conditioning
29 equipment that is built as a package and shipped as a whole to end-user sites.

30 (10) "Pass-through cabinet" means a commercial refrigerator or
31 commercial freezer with hinged or sliding doors on both the front and rear of the
32 refrigerator or freezer.

33 (11) (i) "Reach-in cabinet" means a commercial refrigerator,
34 commercial freezer, or commercial refrigerator-freezer with hinged or sliding doors or
35 lids.

1 (ii) "Reach-in cabinet" does not include a roll-in or roll-through
2 cabinet or a pass-through cabinet.

3 (12) "Roll-in cabinet" means a commercial refrigerator or commercial
4 freezer with hinged or sliding doors that allow wheeled racks of product to be rolled
5 into the refrigerator or freezer.

6 (13) "Roll-through cabinet" means a commercial refrigerator or
7 commercial freezer with hinged or sliding doors that allow wheeled racks of product
8 to be rolled through the refrigerator or freezer.

9 (14) "Torchiere lighting fixture" means a portable electric lighting fixture
10 with a reflector bowl giving light directed upward so as to give indirect illumination.

11 (15) "Traffic signal" means a device consisting of a set of signal lights
12 operating in sequence and placed at intersections to regulate traffic.

13 (16) "Traffic signal module" means a standard 8-inch (200mm) or 12-inch
14 (300mm) round traffic signal indication that:

15 (i) consists of a light source, lens, full-color ball, and all parts
16 necessary for operation; and

17 (ii) communicates movement messages to drivers through red,
18 amber, and green colors.

19 (17) "Transformer" means a device consisting essentially of two or more
20 coils of insulated wire that transfers alternating current by electromagnetic induction
21 from one coil to another in order to change the original voltage or current value.

22 (18) (i) "Unit heater" means a self-contained fan-type heater that:

23 1. is designed to be installed within the heated space; and

24 2. includes an apparatus or appliance to supply heat and a
25 fan for circulating air over a heat exchange surface, all enclosed in a common casing.

26 (ii) "Unit heater" does not include a "warm air furnace" as defined
27 under the federal Energy Policy Act of 1992.

28 (b) (1) This section applies to the testing, certification, and enforcement of
29 efficiency standards for the following types of new products sold, offered for sale, or
30 installed in the State:

31 (i) torchiere lighting fixtures;

32 (ii) unit heaters;

33 (iii) low-voltage dry-type distribution transformers;

34 (iv) ceiling fans and ceiling fan light kits;

- 1 (v) red and green traffic signal modules;
- 2 (vi) illuminated exit signs;
- 3 (vii) commercial refrigeration cabinets;
- 4 (viii) large packaged air-conditioning equipment; and
- 5 (ix) commercial clothes washers.
- 6 (2) This section does not apply to:
- 7 (i) new products manufactured in the State and sold outside the
8 State;
- 9 (ii) new products manufactured outside the State and sold at
10 wholesale inside the State for final retail sale and installation outside the State;
- 11 (iii) products installed in mobile manufactured homes at the time of
12 construction; or
- 13 (iv) products designed expressly for installation and use in
14 recreational vehicles.
- 15 (c) (1) On or before January 1, 2004, the Administration shall adopt
16 regulations establishing minimum efficiency standards for the types of new products
17 set forth in subsection (b)(1) of this section.
- 18 (2) The regulations shall provide for the following minimum efficiency
19 standards:
- 20 (i) torchiere fixtures may not consume more than 190 watts and
21 may not be capable of operating with lamps that total more than 190 watts;
- 22 (ii) unit heaters may not have pilot lights and shall have either
23 power venting or an automatic flue damper;
- 24 (iii) The efficiency of all low-voltage dry-type distribution
25 transformers may not be less than the values shown in Table 4-2 of National
26 Electrical Manufacturers Association Standard TP-1-2002;
- 27 (iv) ceiling fans and ceiling fan light kits shall meet the tier 1
28 criteria of version 1.1 of the product specification contained in the "Energy Star
29 Program Requirements for Residential Ceiling Fans", developed by the U.S.
30 Environmental Protection Agency that took effect on January 1, 2002;
- 31 (v) red and green traffic signal modules shall:
- 32 1. meet the requirements of the "Energy Star Program
33 Requirements for Traffic Signals" developed by the U.S. Environmental Protection
34 Agency that took effect in February 2001; and

1 unless the efficiency of the new product meets or exceeds the efficiency standards set
2 forth in the regulations adopted under subsection (c) of this section.

3 (ii) WITH RESPECT TO CEILING FANS, ENERGY EFFICIENCY
4 STANDARDS MAY NOT TAKE EFFECT UNTIL OCTOBER 1, 2006.

5 (III) With respect to ceiling fan light kits, energy efficiency
6 standards may not take effect until March 1, 2007.

7 [(iii)] (IV) With respect to commercial clothes washers, efficiency
8 standards may not take effect until March 1, 2007.

9 (2) (i) This paragraph does not apply to a product that is sold before
10 the applicable date under paragraph (1) of this subsection.

11 (ii) Except as provided in subparagraphs [(iii) and (iv)] (III), (IV),
12 AND (V) of this paragraph, on or after January 1, 2006, a new product of a type set
13 forth in subsection (b)(1) of this section may not be installed in the State unless the
14 efficiency of the new product meets or exceeds the efficiency standards set forth in the
15 regulations adopted under subsection (c) of this section.

16 (iii) CEILING FANS THAT DO NOT MEET THE ENERGY EFFICIENCY
17 STANDARDS MAY BE INSTALLED IN THE STATE UNTIL OCTOBER 1, 2006.

18 (IV) Ceiling fan light kits that do not meet the energy efficiency
19 standards may be installed in the State until January 1, 2008.

20 [(iv)] (V) Commercial clothes washers that do not meet the
21 efficiency standards under subsection (c)(2)(ix) of this section may be installed in the
22 State until January 1, 2008.

23 (e) (1) By regulation, the Administration may clarify but not expand the
24 scope of the devices defined under subsection (a) of this section.

25 (2) On request of a Maryland business or consumer and after public
26 notice and comment, the Administration may delay the effective date of any standard
27 under this section by not more than 1 year if the Administration determines that
28 products conforming to the standard will not be widely available in Maryland by the
29 applicable date stated in subsection (d)(1) of this section.

30 (f) (1) The Administration shall adopt procedures for testing the energy
31 efficiency of the new products listed in subsection (b)(1) of this section if testing
32 procedures are not provided for in the Maryland Building Performance Standards.

33 (2) The Administration shall use appropriate nationally recognized test
34 methods such as those approved by the United States Department of Energy.

35 (3) The manufacturers of new products listed in subsection (b)(1) of this
36 section shall cause samples of their products to be tested in accordance with the test

1 procedures adopted under this subsection or those specified in the Maryland Building
2 Performance Standards.

3 (g) (1) Manufacturers of new products listed in subsection (b)(1) of this
4 section shall certify to the Administration that the products are in compliance with
5 the provisions of this section.

6 (2) The Administration shall adopt regulations governing the
7 certification of new products and may coordinate with the certification programs of
8 other states with similar standards.

9 (h) (1) Manufacturers of new products listed in subsection (b)(1) of this
10 section shall identify each product offered for sale or installation in the State as in
11 compliance with the minimum efficiency standards established under subsection (c)
12 of this section by means of a mark, label, or tag on the product and packaging at the
13 time of sale or installation.

14 (2) The Administration shall adopt regulations governing the
15 identification of such products and packaging which shall be coordinated to the
16 greatest practical extent with the labeling programs and requirements of other states
17 and federal agencies with equivalent efficiency standards.

18 (i) (1) The Administration may test products listed in subsection (b)(1) of
19 this section using an accredited testing facility.

20 (2) If products tested are found not to be in compliance with the
21 minimum efficiency standards established under subsection (c) of this section, the
22 Administration shall:

23 (i) charge the manufacturer of the product for the cost of product
24 purchase and testing; and

25 (ii) make information available to the public on products found not
26 to be in compliance with the standards.

27 (j) (1) With prior notice and at reasonable and convenient hours, the
28 Administration may make periodic inspections of distributors or retailers of new
29 products listed in subsection (b)(1) of this section in order to determine compliance
30 with the provisions of this section.

31 (2) The Administration shall coordinate with the Department of Housing
32 and Community Development regarding inspections, prior to occupancy, of newly
33 constructed buildings containing new products that are also covered by the Maryland
34 Building Performance Standards.

35 (k) (1) The Administration may investigate complaints received concerning
36 violations of this section and shall report the results of an investigation to the
37 Attorney General.

1 (2) The Attorney General may institute proceedings to enforce the
2 provisions of this section.

3 (3) A manufacturer, distributor, or retailer of new products listed in
4 subsection (b)(1) of this section that violates any provision of this section shall be
5 issued a warning by the Administration for a first violation.

6 (4) Repeat violators shall be subject to a civil penalty of not more than
7 \$250.

8 (5) Each violation of this section shall constitute a separate offense and
9 each day that a violation continues shall constitute a separate offense.

10 (6) Penalties assessed under this subsection are in addition to costs
11 assessed under subsection (i)(2)(i) of this section.

12 (7) Penalties assessed under this subsection shall be paid into the
13 General Fund of the State.

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency
15 measure, is necessary for the immediate preservation of the public health or safety,
16 has been passed by a ye and nay vote supported by three-fifths of all the members
17 elected to each of the two Houses of the General Assembly, and shall take effect from
18 the date it is enacted.