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

Introduced and read first time: February 18, 2005

Assigned to: Rules and Executive Nominations

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A BILL ENTITLED

1 AN ACT concerning

2 **Energy Efficiency Standards - Ceiling Fans - Size and Blade Pitch**

3 FOR the purpose of altering a certain definition so that certain energy efficiency  
4 standards apply only to ceiling fans less than a certain distance in diameter and  
5 for which the pitch of the fan blades is less than a certain amount; and generally  
6 relating to 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, IF:

19 (I) THE DEVICE IS LESS THAN 52 INCHES IN DIAMETER; AND

20 (II) THE PITCH OF THE FAN BLADES IS LESS THAN 14 DEGREES.

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

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

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

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

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

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

10 1. 3.5 cubic feet for horizontal-axis clothes washers; or

11 2. 4.0 cubic feet for vertical-axis clothes washers.

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

17 1. reach-in cabinet;

18 2. pass-through cabinet;

19 3. roll-in cabinet; or

20 4. roll-through cabinet.

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

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

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

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

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

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

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

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



1 (11) (i) "Reach-in cabinet" means a commercial refrigerator,  
2 commercial freezer, or commercial refrigerator-freezer with hinged or sliding doors or  
3 lids.

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

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

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

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

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

16 (16) "Traffic signal module" means a standard 8-inch (200mm) or 12-inch  
17 (300mm) round traffic signal indication that:

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

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

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

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

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

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

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

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

34 (i) torchiere lighting fixtures;

35 (ii) unit heaters;

- 1 (iii) low-voltage dry-type distribution transformers;
- 2 (iv) ceiling fans and ceiling fan light kits;
- 3 (v) red and green traffic signal modules;
- 4 (vi) illuminated exit signs;
- 5 (vii) commercial refrigeration cabinets;
- 6 (viii) large packaged air-conditioning equipment; and
- 7 (ix) commercial clothes washers.

8 (2) This section does not apply to:

- 9 (i) new products manufactured in the State and sold outside the  
10 State;
- 11 (ii) new products manufactured outside the State and sold at  
12 wholesale inside the State for final retail sale and installation outside the State;
- 13 (iii) products installed in mobile manufactured homes at the time of  
14 construction; or
- 15 (iv) products designed expressly for installation and use in  
16 recreational vehicles.

17 (c) (1) On or before January 1, 2004, the Administration shall adopt  
18 regulations establishing minimum efficiency standards for the types of new products  
19 set forth in subsection (b)(1) of this section.

20 (2) The regulations shall provide for the following minimum efficiency  
21 standards:

- 22 (i) torchiere fixtures may not consume more than 190 watts and  
23 may not be capable of operating with lamps that total more than 190 watts;
- 24 (ii) unit heaters may not have pilot lights and shall have either  
25 power venting or an automatic flue damper;
- 26 (iii) The efficiency of all low-voltage dry-type distribution  
27 transformers may not be less than the values shown in Table 4-2 of National  
28 Electrical Manufacturers Association Standard TP-1-2002;
- 29 (iv) ceiling fans and ceiling fan light kits shall meet the tier 1  
30 criteria of version 1.1 of the product specification contained in the "Energy Star  
31 Program Requirements for Residential Ceiling Fans", developed by the U.S.  
32 Environmental Protection Agency that took effect on January 1, 2002;
- 33 (v) red and green traffic signal modules shall:

1 1. meet the requirements of the "Energy Star Program  
2 Requirements for Traffic Signals" developed by the U.S. Environmental Protection  
3 Agency that took effect in February 2001; and

4 2. be installed with compatible, electrically-connected signal  
5 control interface devices and conflict monitoring systems;

6 (vi) illuminated exit signs shall meet the requirements of the  
7 "Energy Star Program Requirements for Exit Signs" developed by the U.S.  
8 Environmental Protection Agency that took effect on January 1, 1999;

9 (vii) commercial refrigeration cabinets shall meet the requirements  
10 shown in the following Table in which "V" means total volume in cubic feet and "AV"  
11 means adjusted volume which is the sum of the volume of refrigerated space and 1.63  
12 times the volume of freezer space:

13 Equipment Type	Maximum Daily 14 Energy Consumption 15 (kilowatt hours)
16 Reach-in cabinets, pass-through cabinets, 17 and roll-in or roll-through cabinets that are 18 refrigerators with solid doors	0.125V + 2.76
19 Reach-in cabinets, pass-through cabinets, 20 and roll-in or roll-through cabinets that are 21 refrigerators with transparent doors	0.172V + 4.77
22 Reach-in cabinets, pass-through cabinets, 23 and roll-in or roll-through cabinets that are 24 freezers with solid doors	0.398V + 2.28
25 Reach-in cabinets, pass-through cabinets, 26 and roll-in or roll-through cabinets that are 27 freezers with transparent doors	0.940V + 5.10
28 Reach-in cabinets that 29 are refrigerator-freezers with solid doors	0.273AV + 1.65

30 (viii) large packaged air-conditioning equipment shall meet the Tier  
31 II requirements of the "Minimum Equipment Efficiencies for Unitary Commercial Air  
32 Conditioners" or "Minimum Equipment Efficiencies for Heat Pumps", as appropriate,  
33 developed by the Consortium for Energy Efficiency, Boston, Massachusetts, as in  
34 effect on January 1, 2002; and

35 (ix) commercial clothes washers shall have a minimum modified  
36 energy factor of 1.26 and a maximum water consumption factor of 9.5, as measured in  
37 accordance with the federal test method for clothes washers as defined in 10 C.F.R.  
38 Section 430.23(j) (Appendix J1 to Subpart B of Part 430) (2001).

1 (d) (1) (i) Except as provided in subparagraphs (ii) and (iii) of this  
2 paragraph, on or after March 1, 2005, a new product of any type set forth in  
3 subsection (b)(1) of this section may not be sold or offered for sale in the State unless  
4 the efficiency of the new product meets or exceeds the efficiency standards set forth in  
5 the regulations adopted under subsection (c) of this section.

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

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

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

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

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

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

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

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

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

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

34 (3) The manufacturers of new products listed in subsection (b)(1) of this  
35 section shall cause samples of their products to be tested in accordance with the test  
36 procedures adopted under this subsection or those specified in the Maryland Building  
37 Performance Standards.

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

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

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

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

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

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

21 (i) charge the manufacturer of the product for the cost of product  
22 purchase and testing; and

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

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

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

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

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



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

4           (4)     Repeat violators shall be subject to a civil penalty of not more than  
5 \$250.

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

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

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

12     SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take  
13 effect October 1, 2005.