

**HOUSE . . . . . No. 755**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Frank I. Smizik***

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to expanding resource efficiency in the Commonwealth.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Frank I. Smizik</i>	<i>15th Norfolk</i>	<i>1/15/2015</i>

**HOUSE . . . . . No. 755**

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By Mr. Smizik of Brookline, a petition (accompanied by bill, House, No. 755) of Frank I. Smizik for legislation to promote efficiency in the use of certain natural resources. Environment, Natural Resources and Agriculture.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 807 OF 2013-2014.]

**The Commonwealth of Massachusetts**

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In the One Hundred and Eighty-Ninth General Court  
(2015-2016)  
\_\_\_\_\_

An Act relative to expanding resource efficiency in the Commonwealth.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Section 2 of chapter 25B, as so appearing in the 2012 Official Edition, is  
2 hereby amended by inserting after the definition of “Ballast” the following definitions:-

3 “Battery” or “battery pack”, an assembly of one or more rechargeable cells intended to  
4 provide electrical energy to a product, and may be in one of the following forms:

5 (1) Detachable battery: a battery that is contained in a separate enclosure from the  
6 product and is intended to be removed or disconnected from the product for recharging; or

7 (2) Integral battery: a battery that is contained within the product and is not removed  
8 from the product for charging purposes.

9           “Battery charger system (BCS)”, a battery charger coupled with its battery or batteries or  
10 battery chargers coupled with their batteries, which together are referred to as battery charger  
11 systems. This term covers all rechargeable batteries or devices incorporating a rechargeable  
12 battery and the chargers used with them. Battery charger systems include, but are not limited to:

13           (1) electronic devices with a battery that are normally charged from ac line voltage or dc  
14 input voltage through an internal or external power supply and a dedicated battery charger;

15           (2) the battery and battery charger components of devices that are designed to run on  
16 battery power during part or all of their operations;

17           (3) dedicated battery systems primarily designed for electrical or emergency backup; and

18           (4) devices whose primary function is to charge batteries, along with the batteries they  
19 are designed to charge. These units include chargers for power tool batteries and chargers for  
20 automotive, AA, AAA, C, D, or 9 V rechargeable batteries, as well as chargers for batteries used  
21 in larger industrial motive equipment and à la cart chargers.

22           (5) the charging circuitry of battery charger systems may or may not be located within the  
23 housing of the end-use device itself. In many cases, the battery may be charged with a dedicated  
24 external charger and power supply combination that is separate from the device that runs on  
25 power from the battery.

26           Section 2. Said section 2 of chapter 25B, as so appearing, is hereby amended by inserting  
27 after the definition of “Boiler” the following definition:-

28           “Bottle-type water dispenser”, a water dispenser that uses a bottle or reservoir as the  
29 source of potable water.

30 Section 3. Said section 2 of chapter 25B, as so appearing, is hereby further amended by  
31 inserting after the definition of “Central furnace” the following definitions:-

32 “Chemical sanitizing (low temp) machine”, a warewashing machine that applies potable  
33 water and a chemical sanitizing solution to the surfaces of wares to achieve sanitation.

34 “Clean air delivery rate (CADR)”, the measure of the delivery of specified, particulate-  
35 free air produced by a household electric, cord-connected room air cleaner.

36 “Combination product”, a room air cleaner that includes a secondary function, other than  
37 air cleaning technology, within the same housing such as a humidifier or dehumidifier.

38 “Commercial dishwasher”, a machine designed to clean and sanitize plates, glasses, cups,  
39 bowls, utensils, and trays by applying sprays of detergent solution (with or without blasting  
40 media granules) and a sanitizing final rinse.

41 “Commercial hot-food holding cabinet”, a heated, fully-enclosed compartment with one  
42 or more solid or glass doors that is designed to maintain the temperature of hot food that has  
43 been cooked in a separate appliance. ‘Commercial hot food holding cabinet’ does not include  
44 heated glass merchandizing cabinets, drawer warmers, or cook-and-hold appliances.

45 Section 4. Said section 2 of chapter 25B, as so appearing, is hereby further amended by  
46 inserting after the definition of “Commissioner” the following definition:-

47 “Compartment-type bottled water cooler”, a bottled water cooler which, in addition to the  
48 primary function of cooling and dispensing potable water, includes a refrigerated compartment  
49 with or without provisions for making ice.

50 Section 5. Said section 2 of chapter 25B, as so appearing, is hereby further amended by  
51 inserting after the definition of “Compensation” the following definition:-

52 “Dual flush tank-type water closet”, a tank-type water closet incorporating a feature that  
53 allows the user to flush the water closet with either a reduced or a full volume of water.

54 Section 6. Said section 2 of chapter 25B, as so appearing, is hereby further amended by  
55 inserting after the definition of “High-intensity discharge lamp” the following definitions:-

56 “High light output double-ended quartz halogen lamp”, a lamp that--

- 57 (1) is designed for general outdoor lighting purposes;
- 58 (2) contains a tungsten filament;
- 59 (3) has a rated initial lumen value of greater than 6,000 and less than 40,000 lumens;
- 60 (4) has at each end a recessed single contact, R7s base;
- 61 (5) has a maximum overall length (MOL) between 4 and 11 inches;
- 62 (6) has a nominal diameter less than 3/4 inch (T6);
- 63 (7) is designed to be operated at a voltage not less than 110 volts and not greater than  
64 200 volts or is designed to be operated at a voltage between 235 volts and 300 volts;
- 65 (8) is not a tubular quartz infrared heat lamp; and
- 66 (9) is not a lamp marked and marketed as a Stage and Studio lamp with a rated life of  
67 500 hours or less.

68           “Hot water sanitizing (high temp) machine”, a warewashing machine that applies potable  
69 hot water to the surfaces of wares to achieve sanitization.

70           Section 7. Said section 2 of chapter 25B, as so appearing, is hereby further amended by  
71 inserting after the definition of “Lamp” the following definition:-

72           “Lavatory faucet”, a plumbing fitting designed for installation at a washbowl or basin in a  
73 room containing a water closet, and includes associated faucet accessories such as flow  
74 restrictors, flow regulators, aerator devices, and laminar devices, except that such term does not  
75 include fittings designed to be installed in non-residential bathrooms that are exposed to walk-in  
76 traffic.

77           Section 8. Said section 2 of chapter 25B, as so appearing, is hereby further amended by  
78 inserting after the definition of “Metal halide lamp fixture” the following definition:-

79           “Multiple tank conveyor dishwasher”, a conveyor type machine that has one or more  
80 tanks for wash water and one or more tanks for pumped rinse water, followed by a final  
81 sanitizing rinse. This type of machine may include one or more pre-washing sections before the  
82 washing section. Multiple tank conveyor dishwashers can be either chemical or hot water  
83 sanitizing, with an internal or external booster heater for the latter.

84           Section 9. Said section 2 of chapter 25B, as so appearing, is hereby further amended by  
85 inserting after the definition of “New appliance” the following definitions:-

86           “Ozone generator”, a device intended to reduce or eliminate microorganisms within a  
87 room solely by means of introducing ozone into the room environment.

88           “Portable electric spa”, a factory-built electric spa or hot tub, supplied with equipment for  
89 heating and circulating water.

90           Section 10. Said section 2 of chapter 25B, as so appearing, is hereby further amended by  
91 inserting after the definition of “Residential furnace or boiler” the following definition:-

92           “Room air cleaner”, an electric cord-connected, portable appliance with the primary  
93 function of removing particulate matter from the air and which can be moved from room to  
94 room.

95           Section 11. Said section 2 of chapter 25B, as so appearing, is hereby further amended by  
96 inserting after the definition of “Single-voltage external AC to DC power supply” the following  
97 definitions:-

98           “Single tank conveyor dishwasher”, a warewashing machine that employs a conveyor or  
99 similar mechanism to carry dishes through a series of wash and rinse sprays within the machine.  
100 Specifically, a single tank conveyor machine has a tank for wash water followed by a final  
101 sanitizing rinse and does not have a pumped rinse tank. This type of machine may include a pre-  
102 washing section before the washing section. Single tank conveyor dishwashers can be either  
103 chemical or hot water sanitizing, with an internal or external booster heater for the latter.

104           “Standby mode”, the lowest power consumption mode which cannot be switched off  
105 (influenced) by the user and that may persist for an indefinite time when an air cleaner unit is  
106 connected to the main electricity supply and used in accordance with the manufacturer’s  
107 instructions.

108 “Standby energy consumption”, the required energy to maintain cold and/or hot water at  
109 appropriate dispensing temperatures with no water being withdrawn.

110 “Standby power”, the average power in standby mode, measured in Watts.

111 “Stationary rack, single tank, door type dishwasher”, a machine in which a rack of dishes  
112 remains stationary within the machine while subjected to sequential wash and rinse sprays. This  
113 definition also applies to machines in which the rack revolves on an axis during the wash and  
114 rinse cycles. Subcategories of stationary door type machines include: single and multiple wash  
115 tank, double rack, pot, pan and utensil washers, chemical dump type and hooded wash  
116 compartment (“hood type”). Stationary rack, single tank, door type models can be either  
117 chemical or hot water sanitizing, with an internal or external booster heater for the latter.

118 Section 12. Said section 2 of chapter 25B, as so appearing, is hereby further amended by  
119 inserting after the definition of “Transformer” the following definitions:-

120 “Tubular quartz infrared heat lamp”, a double-ended quartz halogen lamp that-

121 (1) is marked and marketed as an infrared heat lamp; and

122 (2) radiates predominately in the infrared radiation range and in which the visible  
123 radiation is not of principle interest.

124 “Under counter dishwasher”, a machine with an overall height 38 inches or less, in which  
125 a rack of dishes remains stationary within the machine while being subjected to sequential wash  
126 and rinse sprays, is designed for wash cycles of 10 minutes or less, and is designed to be installed  
127 under food preparation workspaces. Under counter dishwashers can be either chemical or hot  
128 water sanitizing, with an internal booster heater for the latter.



129           “Urinal”, a plumbing fixture that receives only liquid body waste and conveys the waste  
130 through a trap into a drainage system, except that such term does not include fixtures designed  
131 for installation in prisons.

132           “Water closet”, a plumbing fixture with a water-containing receptor that receives liquid  
133 and solid body waste and upon actuation conveys the waste through an integral trap into a  
134 drainage system, except that such term does not include fixtures designed for installation in  
135 prisons.

136           “Water cooler”, a freestanding (i.e., not wall mounted, under sink, or otherwise building  
137 integrated) device that consumes energy to cool and/or heat potable water.

138           (1) ‘Cold only’ units dispense cold water.

139           (2) ‘Hot and cold units’ dispense both hot and cold water. Some units also offer room-  
140 temperature water.

141           (3) ‘Cook and cold units’ dispense both cold and room-temperature water.

142           “Water dispenser”, a factory-made assembly that mechanically cools and heats potable  
143 water and that dispenses the cooled or heated water by integral or remote means.

144           SECTION 13. Section 3 of chapter 25B of the General Laws, as so appearing, is hereby  
145 amended by inserting after subsection (j) the following 11 subsections:-

146           (k) battery charger systems.

147           (l) bottle-type water dispensers.

148           (m) commercial dishwashers

149 (n) commercial hot food holding cabinets.

150 (o) high light output double-ended quartz halogen lamps.

151 (p) lavatory faucets.

152 (q) portable electric spas.

153 (r) room air cleaners.

154 (s) urinals.

155 (t) water closets.

156 (u) water coolers.

157 SECTION 14. Said section 5 of said chapter 25B of the General Laws, as so appearing, is  
158 hereby further amended by striking out the words “clauses (f) to (s)” in line 23 and inserting in  
159 place thereof the words “clauses (a) to (u)”.

160 SECTION 15. Section 5 of chapter 25B of the General Laws, as so appearing, is hereby  
161 amended by inserting after subsection (5) the following subsections:-

162 (6) Battery charger systems shall meet the requirements of section 1605.3 of title 20 of  
163 the California Code of Regulations as in effect on November 1, 2014, as measured in accordance  
164 with test methods prescribed in section 1604 of those regulations.

165 (7) Bottle-type water dispensers designed for dispensing both hot and cold water shall not  
166 have standby energy consumption greater than 1.2 kilowatt-hours per day, as measured in  
167 accordance with the test criteria contained in version 1 of the document “Energy Star Program

168 Requirements for Bottled Water Coolers,” except units with an integral, automatic timer shall not  
169 be tested using Section 4D, “Timer Usage,” of the test criteria.

170 (8) Commercial dishwashers shall meet the water consumption requirements of Version  
171 1.1 of the ENERGY STAR program product specifications for commercial dishwashers in effect  
172 on October 11, 2007, as measured in accordance with the test methods prescribed in Version 2.0  
173 of the ENERGY STAR program product specifications for commercial dishwashers in effect on  
174 February 1, 2013.

175 (9) Commercial hot food holding cabinets with interior volume of 8 cubic feet or greater  
176 shall have a maximum idle energy rate of 40 watts per cubic foot of interior volume, as  
177 determined by the "idle energy rate-dry test" in ASTM Standard F2140-11, “Test Method for  
178 Performance of Hot Food Holding Cabinets” published by ASTM International. Interior volume  
179 shall be measured as contained in Version 2.0 of the ENERGY STAR program product  
180 specifications for the commercial hot food holding cabinets in effect on October 1, 2011.

181 (10) High Light Output Double-Ended Quartz Halogen Lamps- A high light output  
182 double-ended quartz halogen lamp sold or offered for sale shall have a minimum efficiency of--

183 i. 27 LPW for lamps with a minimum rated initial lumen value greater than 6,000  
184 and a maximum initial lumen value of 15,000; and

185 ii. 34 LPW for lamps with a rated initial lumen value greater than 15,000 and less  
186 than 40,000; as measured in accordance with IESNA LM-45-00, “Approved Method for  
187 Electrical and Photometric Measurements of General Service Incandescent Filament Lamps.”

188 (11) Lavatory faucets shall have a maximum water use of 1.5 gallons per minute when  
189 tested at a flowing water pressure of 60 pounds per square inch in accordance with the flow rate  
190 test procedure contained in Appendix S to Subpart B of Part 430 of Title 10 of the Code of the  
191 Federal Regulations- “Uniform Test Method for Measuring the Water Consumption of Faucets  
192 and Showerheads.”

193 (12) Portable electric spas shall have a normalized standby power not greater than  
194  $5(V^{2/3})$  Watts where V=the total volume in gallons, as measured in accordance with the test  
195 method for portable electric spas contained in section 1604, title 20, California Code of  
196 Regulations as in effect on November 1, 2014.

197 (13) Room air cleaners shall meet the following requirements:

- 198 i. produce a minimum 50 CADR for Dust;
- 199 ii. achieve calculated CADR/Watt equal to or greater than 2.0 CADR/Watt (Dust);
- 200 iii. for ozone emitting models, measured ozone shall be less than or equal to 50 parts  
201 per billion (ppb);
- 202 iv. measured standby power shall be less than or equal to 2 Watts;  
203 as measured in accordance with the test criteria prescribed in Version 1.2 of the  
204 ENERGY STAR program product specifications for room air cleaners in effect on July 1, 2004.

205 (14) Urinals-

- 206 i. Urinals, except for floor mounted urinals, shall have a maximum water use of  
207 0.125 gallons per flush when tested in accordance with the water consumption test contained in

208 Appendix T to Subpart B of Part 430 of Title 10 of the Code of Federal Regulations- “Uniform  
209 Test Method for Measuring the Water Consumption of Water Closets and Urinals.”

210 ii. Floor mounted urinals shall have a maximum water use of 0.5 gallons per flush  
211 when tested in accordance with the water consumption test contained in Appendix T to Subpart  
212 B of Part 430 of Title 10 of the Code of Federal Regulations- “Uniform Test Method for  
213 Measuring the Water Consumption of Water Closets and Urinals.”

214 (15) Water Closets-

215 i. Water closets, except for dual flush tank-type water closets, shall have a  
216 maximum water use of 1.3 gallons per flush when tested in accordance with the water  
217 consumption test contained in Appendix T to Subpart B of Part 430 of Title 10 of the Code of  
218 Federal Regulations- “Uniform Test Method for Measuring the Water Consumption of Water  
219 Closets and Urinals.”

220 ii. Dual flush tank-type water closets shall have a maximum effective water use of  
221 1.3 gallons per flush when tested in accordance with the water consumption test contained in  
222 Appendix T to Subpart B of Part 430 of Title 10 of the Code of Federal Regulations- “Uniform  
223 Test Method for Measuring the Water Consumption of Water Closets and Urinals.” The effective  
224 flush volume is the composite average flush volume of two reduced flushes and one full flush.

225 (16) Water coolers shall have standby energy consumption less than or equal to--

226 i. 1.2 kilowatt-hours per day, for hot and cold units; and

227 ii. 0.16 kilowatt-hours per day, for cold only units and cook and cold units,

228 as measured in accordance with the test criteria prescribed in version 1.3 of the ENERGY  
229 STAR program product specifications for water coolers in effect on January 22, 2010, except  
230 that units with an integral, automatic timer shall not be tested using Section 4D, “Timer Usage,”  
231 of the test criteria.

232 SECTION 16. Said section 5 of said chapter 25B of the General Laws, as so appearing, is  
233 hereby further amended by inserting, in line 75, after the figure “2012” the following: -

234 “On or after January 1, 2016, no new battery charger system, commercial dishwasher,  
235 commercial hot food holding cabinet, faucet, portable electric spa, room air cleaner, urinal, water  
236 closet, or water cooler may be sold or offered for sale in the state unless the efficiency of the new  
237 product meets or exceeds the efficiency standards set forth in the regulations adopted pursuant to  
238 Section 5, provided there is no further federal regulation concerning same. On or after January  
239 1, 2016, no new bottle-type water dispenser manufactured after January 1, 2016, may be sold or  
240 offered for sale in the state unless the efficiency of the new bottle-type water dispenser meets or  
241 exceeds the efficiency standards set forth in the regulations adopted pursuant to Section 7,  
242 provided there is no further federal regulation concerning same.”