

1 AN ACT concerning energy efficiency.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 1. Short title. This Act may be cited as the
5 Minimum Energy Efficiency Standards Act.

6 Section 5. Purpose and findings.

7 (a) This Act provides for the establishment of minimum
8 efficiency standards for certain products sold or installed
9 in this State.

10 (b) The legislature finds that:

11 (1) Efficiency standards for certain products sold
12 or installed in this State assure consumers and
13 businesses that the products meet minimum efficiency
14 performance levels, thus saving money on utility bills.

15 (2) Such efficiency standards save energy and thus
16 reduce pollution and other environmental impacts
17 associated with the production, distribution, and use of
18 electricity and natural gas.

19 (3) Such efficiency standards can make electricity
20 systems more reliable by reducing the strain on the
21 electricity grid during peak demand periods. Furthermore,
22 improved energy efficiency can reduce or delay the need
23 for new power plants, power transmission lines, and power
24 distribution system upgrades.

25 (4) Energy efficiency standards contribute to the
26 economy of this State by enabling consumers and business
27 owners to spend less on energy, leaving more for the
28 purchase of local goods and services.

29 Section 10. Definitions. As used in this Act:

30 "Ceiling fan" means a non-portable device that is

1 suspended from a ceiling for circulating air via the rotation
2 of fan blades.

3 "Ceiling fan light kit" means the equipment used to
4 provide light from a ceiling fan. This equipment can be (i)
5 integral such that the ceiling fan light kit is hardwired to
6 the ceiling fan or (ii) attachable such that the ceiling fan
7 light kit is not, at the time of sale, physically attached to
8 the fan. Attachable ceiling fan light kits might be included
9 inside the ceiling fan package at the time of sale or sold
10 separately for subsequent attachment to the fan.

11 "Commercial clothes washer" means a soft mount
12 front-loading or soft mount top-loading clothes washer that
13 is designed for use in (i) applications where the occupants
14 of more than one household will be using it, such as in
15 multi-family housing common areas and coin laundries or (ii)
16 other commercial applications, if the clothes container
17 compartment is no greater than 3.5 cubic feet for
18 horizontal-axis clothes washers, or no greater than 4.0 cubic
19 feet for vertical-axis clothes washers.

20 "Commercial refrigerators and freezers" means reach-in
21 cabinets, pass-through cabinets, roll-in cabinets and
22 roll-through cabinets that have less than 85 cubic feet of
23 capacity and that are not walk-in models or consumer products
24 regulated under the National Appliance Energy Conservation
25 Act of 1987.

26 "Digital cable television box" means a device that acts
27 as a tuner for cable television programming and that converts
28 digital signals received from a cable service provider to a
29 signal usable by a television set.

30 "Digital television converter box" means a device that
31 receives and decodes digital signals for display by an analog
32 television set.

33 "Director" means the Director of Commerce and Community
34 Affairs.

1 "Illuminated exit sign" means an internally-illuminated
2 sign that is designed to be permanently fixed in place and
3 used to identify an exit; a light source illuminates the sign
4 or letters from within, and the background of the exit sign
5 is not transparent.

6 "Large packaged air-conditioning equipment" means
7 packaged air-conditioning equipment having 240,000 Btu/hour
8 or more of cooling capacity.

9 "Low voltage dry-type distribution transformer" means a
10 distribution transformer that (i) has an input voltage of 600
11 volts or less; (ii) is between 14 kVa and 2,501 kVa in size;
12 (iii) is air-cooled; and (iv) does not use oil as a coolant.

13 "Packaged air-conditioning equipment" means
14 air-conditioning equipment that is built as a package and
15 shipped as a whole to end-user sites.

16 "Pass-through cabinet" means a commercial refrigerator or
17 commercial freezer with hinged or sliding doors on both the
18 front and rear of the refrigerator or freezer.

19 "Reach-in cabinet" means a commercial refrigerator,
20 commercial refrigerator-freezer, or commercial freezer with
21 hinged or sliding doors or lids, but excluding roll-in or
22 roll-through cabinets and pass through cabinets.

23 "Roll-in or roll-through cabinet" means a commercial
24 refrigerator or commercial freezer with hinged or sliding
25 doors that allows wheeled racks of product to be rolled into
26 or through the refrigerator or freezer.

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

30 "Torchiere lighting fixture" means a portable electric
31 lighting fixture with a reflector bowl giving light directed
32 upward so as to give indirect illumination.

33 "Traffic signal module" means a standard 8-inch (200mm)
34 or 12-inch (300mm) round traffic signal indication. It

1 consists of a light source, lens, and all parts necessary for
2 operation and communicates movement messages to drivers
3 through red, amber, and green colors. Arrow modules in the
4 same colors are used to indicate turning movements.

5 "Transformer" means a device consisting essentially of 2
6 or more coils of insulated wire that transfers alternating
7 current by electromagnetic induction from one coil to another
8 in order to change the original voltage or current value.

9 "Unit heater" means a self-contained fan-type heater that
10 uses natural gas, propane, or fuel oil and that is designed
11 to be installed within a heated space. Unit heaters include
12 an apparatus or appliance to supply heat and a fan for
13 circulating air over a heat exchange surface, all enclosed in
14 a common casing. Unit heaters do not include warm air
15 furnaces as defined under the federal Energy Policy Act of
16 1992.

17 "Wireless television receiver" means a device used in
18 conjunction with a dish antenna to receive satellite or other
19 wireless television programming and that converts signals
20 from a dish antenna for use by a television set.

21 Section 15. Scope.

22 (a) The provisions of this Act apply to the testing,
23 certification, and enforcement of efficiency standards for
24 the following types of new products sold, offered for sale,
25 or installed in this State: (1) ceiling fans and ceiling fan
26 light kits; (2) commercial clothes washers; (3) commercial
27 refrigerators and freezers; (4) illuminated exit signs; (5)
28 large packaged air-conditioning equipment; (6) low voltage
29 dry-type distribution transformers; (7) set-top boxes; (8)
30 torchiere lighting fixtures; (9) traffic signal modules; (10)
31 unit heaters; and (11) such other products as may be
32 designated by the Director in accordance with Section 30.

33 (b) The provisions of this Act do not apply to (1) new

1 products manufactured in this State and sold outside this
2 State, (2) new products manufactured outside this State and
3 sold at wholesale inside this State for final retail sale and
4 installation outside this State, (3) products installed in
5 mobile manufactured homes at the time of construction, or (4)
6 products designed expressly for installation and use in
7 recreational vehicles.

8 Section 20. Efficiency standards. Not later than January
9 1, 2004, the Director shall adopt rules establishing minimum
10 efficiency standards for the types of new products set forth
11 in Section 15. The rules shall provide for the following
12 minimum efficiency standards:

13 (1) Ceiling fans and ceiling fan light kits shall
14 meet the Tier 1 criteria of the product specification
15 (Version 1.1) of the "Energy Star Program Requirements
16 for Residential Ceiling Fans" developed by the U.S.
17 Environmental Protection Agency.

18 (2) Commercial clothes washers shall meet the
19 requirements shown in Table P-3 of section 1605.3 of the
20 California Code of Regulations, Title 20: Division 2,
21 Chapter 4, Article 4: Appliance Efficiency Regulations
22 that took effect on November 27, 2002.

23 (3) Commercial refrigerators and freezers shall
24 meet the August 1, 2004 requirements shown in Table A-6
25 of section 1605.3 of the California Code of Regulations,
26 Title 20: Division 2, Chapter 4, Article 4: Appliance
27 Efficiency Regulations that took effect on November 27,
28 2002.

29 (4) Illuminated exit signs shall meet the product
30 specification (Version 2.0) of the "Energy Star Program
31 Requirements for Exit Signs" developed by the U.S.
32 Environmental Protection Agency.

33 (5) Large packaged air-conditioning equipment shall

1 meet the Tier 2 efficiency levels of the "Minimum
2 Equipment Efficiencies for Unitary Commercial Air
3 Conditioners" and "Minimum Equipment Efficiencies for
4 Heat Pumps" developed by the Consortium for Energy
5 Efficiency, Boston, MA, and that took effect on July 1,
6 2002.

7 (6) Low voltage dry-type distribution transformers
8 shall meet or exceed the energy efficiency values shown
9 in Table 4-2 of National Electrical Manufacturers
10 Association Standard TP-1-2002.

11 (7) Set-top boxes shall meet the Tier 2 criteria of
12 the product specification of the U.S. Environmental
13 Protection Agency's "Energy Star Program Requirements for
14 Set-top Boxes" that took effect on January 1, 2001.

15 (8) Torchiere lighting fixtures shall not consume
16 more than 190 watts and shall not be capable of operating
17 with lamps that total more than 190 watts.

18 (9) Traffic signal modules shall meet the product
19 specification of the "Energy Star Program Requirements
20 for Traffic Signals" developed by the U.S. Environmental
21 Protection Agency and that took effect in February 2001.

22 (10) Unit heaters shall not have pilot lights and
23 shall have either power venting or an automatic flue
24 damper.

25 Section 25. Implementation. On or after January 1, 2005,
26 no new product of a type set forth in Section 15 may be sold
27 or offered for sale in the State unless the efficiency of the
28 new product meets or exceeds the efficiency standards set
29 forth in the rules adopted pursuant to Section 20. On or
30 after January 1, 2006, no new product of a type set forth in
31 Section 15 may be installed in the State unless the
32 efficiency of the new product meets or exceeds the efficiency
33 standards set forth in the rules adopted pursuant to Section

1 20.

2 Section 30. New and revised standards. The Director may
3 establish increased efficiency standards on the products
4 listed in Section 15. The Director may also establish
5 standards for products not specifically listed in Section 15.
6 In considering such new or amended standards, the Director
7 shall set efficiency standards upon a determination that
8 increased efficiency standards would serve to promote energy
9 conservation in the State and would be cost-effective for
10 consumers who purchase and use such new products, provided no
11 new or increased efficiency standards shall become effective
12 within one year following the adoption of any amended rules
13 providing for such increased efficiency standards. The
14 Director may apply for a waiver of federal preemption in
15 accordance with federal procedures (42 U.S. Code 6297 (d))
16 for those products regulated by the federal government.

17 Section 35. Testing, certification, labeling, and
18 enforcement.

19 (a) The Director shall adopt procedures for testing the
20 energy efficiency of the new products covered by Section 15.
21 The Director shall use U.S. Department of Energy approved
22 test methods, or in the absence of such test methods, other
23 appropriate nationally recognized test methods. The
24 manufacturers of such products shall cause samples of such
25 appliances to be tested in accordance with the test
26 procedures adopted pursuant to this Act.

27 (b) Manufacturers of new products covered by Section 15
28 of this Act shall certify to the Director that such products
29 are in compliance with the provisions of this Act. The
30 Director shall adopt rules governing the certification of
31 such products and may work in coordination with the
32 certification program of other states with like standards.

1 (c) Manufacturers of new products covered by Section 15
2 of this Act shall identify each product offered for sale or
3 installed in the State as in compliance with the provisions
4 of this Act by means of a mark, label, or tag on the product
5 and packaging at the time of sale or installation. The
6 Director shall adopt rules governing the identification of
7 such products and packaging and may work in coordination with
8 the labeling programs of other states with similar standards.

9 (d) The Director may test products covered by Section 15
10 using an accredited testing facility. If products so tested
11 are found not to be in compliance with the minimum efficiency
12 standards established under Section 20, the Director shall:
13 (1) charge the manufacturer of such product for the cost of
14 product purchase and testing, and (2) provide information to
15 the public on products found not to be in compliance with the
16 standards.

17 (e) The Director may cause periodic inspections to be
18 made of distributors or retailers of new products covered by
19 Section 15 in order to determine compliance with the
20 provisions of this Act.

21 (f) The Director shall cause investigations to be made
22 of complaints received concerning violations of this Act and
23 shall report the results of such investigations to the
24 Attorney General. The Attorney General may institute
25 proceedings to enforce the provisions of this Act. Any
26 manufacturer, distributor, or retailer who violates any
27 provision of this Act shall be issued a warning by the
28 Director for any first violation. Repeat violations shall be
29 subject to a civil penalty of not more than \$250. Each
30 violation shall constitute a separate offense, and each day
31 that such violation continues shall constitute a separate
32 offense. Penalties assessed under this subsection are in
33 addition to costs assessed under subsection (d).

34 (g) The Director is granted the authority to adopt such

1 further rules as necessary to ensure the proper
2 implementation and enforcement of the provisions of this Act.

3 Section 97. Severability. The provisions of this Act
4 are severable under Section 1.31 of the Statute on Statutes.

5 Section 99. Effective date. This Act takes effect upon
6 becoming law.