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S T A T E O F R H O D E I S L A N D

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2026

A N A C T

RELATING TO PUBLIC UTILITIES AND CARRIERS -- APPLIANCE AND EQUIPMENT ENERGY AND WATER EFFICIENCY STANDARDS ACT OF 2021

Introduced By: Representatives Handy, Bennett, Speakman, McGaw, Cortvriend, Kislak, Tanzi, Cruz, Potter, and McNamara
Date Introduced: February 27, 2026

Referred To: House Corporations

It is enacted by the General Assembly as follows:

SECTION 1. Sections 39-27.1-2, 39-27.1-3, 39-27.1-4, 39-27.1-5, 39-27.1-6 and 39-27.1-7 of the General Laws in Chapter 39-27.1 entitled "Appliance and Equipment Energy and Water Efficiency Standards Act of 2021" are hereby amended to read as follows:

39-27.1-2. Definitions.

(a) For purposes of this chapter, the following definitions apply:

(1) "Agency" means the Rhode Island office of energy resources.

~~(1)~~(2) “Commercial dishwasher” means a machine designed to clean and sanitize plates, pots, pans, glasses, cups, bowls, utensils, and trays by applying sprays of detergent solution (with or without blasting media granules) and a sanitizing rinse.

~~(2)~~(3) “Commercial fryer” means an appliance, including a cooking vessel, in which oil is placed to such a depth that the cooking food is essentially supported by displacement of the cooking fluid rather than by the bottom of the vessel. Heat is delivered to the cooking fluid by means of an immersed electric element of band-wrapped vessel (electric fryers) or by heat transfer from gas burners through either the walls of the fryer or through tubes passing through the cooking fluid (gas fryers).

~~(3)~~(4) “Commercial hot-food holding cabinet” means a heated, fully enclosed compartment with one or more solid or transparent doors designed to maintain the temperature of hot food that has been cooked using a separate appliance. “Commercial hot-food holding cabinet” does not

include heated glass merchandizing cabinets, drawer warmers, or cook-and-hold appliances.

~~(4)~~(5) "Commercial oven" means a chamber designed for heating, roasting, or baking food by conduction, convection, radiation, and/or electromagnetic energy.

~~(5)~~(6) "Commercial steam cooker," also known as "compartment steamer," means a device with one or more food-steaming compartments in which the energy in the steam is transferred to the food by direct contact. Models may include countertop models, wall-mounted models, and floor models mounted on a stand, pedestal, or cabinet-style base.

~~(6)~~(7) "Commissioner" means the commissioner of energy resources at the Rhode Island office of energy resources, appointed pursuant to § 42-140-4.

~~(7)~~(8) "Compensation" means money or any other valuable thing, regardless of form, received or to be received by a person for services rendered.

(9) "Computer server" means a computer that provides services and manages networked resources for client devices (e.g., desktop computers, notebook computers, thin clients, wireless devices, personal digital assistants, internet protocol telephones, other computer servers, or other network devices).

(10) "Computer server power supply unit" means a device that converts AC or DC input power to one or more DC power outputs for the purpose of powering a computer server and that is self-contained, physically separable from the motherboard and that connects to the system via a removable or hard-wired electrical connection.

(11) The following definitions refer to expanded scope electric motors:

(i) "Electric motor'' means a machine that converts electrical power into rotational mechanical power.

(ii) "Expanded scope electric motor" means an electric motor meeting the definition of "small, non-small-electric-motor electric motor" as defined in Appendix B to Subpart B of Part 431 of Title 10 of the Code of Federal Regulations as in effect on January 1, 2025 "Uniform Test Method for Measuring the Efficiency of Electric Motors," excluding any motor incorporated into a product to which a federal energy conservation standard applies under 10 C.F.R. Parts 430 or 431.

~~(8)~~(12) "Electric vehicle supply equipment" means the conductors, including the ungrounded, grounded, and equipment grounding conductors, the electric vehicle connectors, attachment plugs, and all other fittings, devices, power outlets, or apparatuses installed specifically for the purpose of delivering energy from the premises wiring to the electric vehicle. Excludes conductors, connectors, and fittings that are part of a vehicle.

(13) The following definitions refer to commercial and industrial fans and blowers:

(i) “Fan’’ or ‘‘blower’’ means a rotary bladed machine used to convert electrical or mechanical power to air power, with an energy output limited to 25 kJ/kg of air. It consists of an impeller, a shaft and bearings and/or driver to support the impeller, as well as a structure or housing. A fan or blower may include a transmission, driver, and/or motor controller.

(ii) “Air circulating fan” means a fan that has no provision for connection to ducting or separation of the fan inlet from its outlet using a pressure boundary, operates against zero external static pressure loss and is not a jet fan or a ceiling fan.

(iii) “Jet fan” means a fan designed and marketed specifically for producing a high velocity air jet in a space to increase its air momentum. Jet fans are rated using thrust. Inlets and outlets are not ducted but may include acoustic silencers.

(iv) “Ceiling fan” means a nonportable device that is suspended from a ceiling for circulating air via the rotation of fan blades. For the purpose of this definition: Circulating air means the discharge of air in an upward or downward direction. A ceiling fan that has a ratio of fan blade span (in inches) to maximum rotation rate (in revolutions per minute) greater than 0.06 provides circulating air.

(v) “Housed centrifugal air circulating fan” means a housed air circulating fan head with a centrifugal or radial impeller in which airflow exits into a housing that is generally scroll shaped to direct the air through a single, narrow fan outlet.

(vi) “Air circulating fan discharge area” means the area of a circle having a diameter equal to the blade tip diameter.

(vii) “Air circulating fan outlet area” means the gross inside area measured at the plane of the outlet opening.

(viii) “Equivalent diameter” means the diameter (D) of a circle with the same area as another geometric shape. For a rectangular cross section with width a and height b, the equivalent diameter is given as $D = (4ab/\pi)0.5$

(ix) “General fan or blower” means a fan or blower that is not an air circulating fan.

(x) “Radial-housed-unshrouded fan” means a radial fan with impeller blades attached to a backplate and hub (i.e., open radial blade) or a hub only (i.e., open paddle wheel) and with an open front at the impeller’s inlet.

(xi) “Rimmed radial-unshrouded fan” means a radial-housed unshrouded fan having a vertical rim on both sides of the impeller.

(xii) “Duty point” means a single airflow, pressure point, and fan air density within the fan’s operating range.

~~(9)~~(14) The following definitions refer to “faucets”:

(i) “Faucet” means a private lavatory faucet, residential kitchen faucet, metering faucet, public lavatory faucet, or replacement aerator for a private lavatory, public lavatory, or residential kitchen faucet;

(ii) “Public lavatory faucet” means a fitting designed to be installed in nonresidential bathrooms that are exposed to walk-in traffic;

(iii) “Metering faucet” means a fitting that, when turned on, will gradually shut itself off over a period of several seconds; and

(iv) “Replacement aerator” means an aerator sold as a replacement, separate from the faucet to which it is intended to be attached.

~~(10)~~(15) The following definitions refer to “gas fireplaces”:

(i) “Decorative gas fireplace” means a vented fireplace, including appliances that are freestanding, recessed, zero clearance, or a gas fireplace insert, that is fueled by natural gas or propane, is marked for decorative use only, and is not equipped with a thermostat or intended for use as a heater;

(ii) “Gas fireplace” means a decorative gas fireplace or a heating gas fireplace; and

(iii) “Heating gas fireplace” means a vented fireplace, including appliances that are freestanding, recessed, zero clearance, or a gas fireplace insert, that is fueled by natural gas or propane and is not a decorative fireplace.

~~(11)~~(16) “Portable electric spa” means a factory-built electric spa or hot tub that may or may not include any combination of integral controls, water heating, or water circulating equipment.

~~(12)~~(17) “Residential ventilating fan” means a ceiling or wall-mounted fan, or remotely mounted in-line fan, designed to be used in a bathroom or utility room for the purpose of moving air from inside the building to the outdoors.

~~(13)~~(18) The following definitions refer to “showerheads”:

(i) “Showerhead” means an accessory to a supply fitting for spraying water onto a bather, typically from an overhead position and includes a hand-held showerhead, but does not include a safety showerhead; and

(ii) “Hand-held showerhead” means a showerhead that can be held or fixed in place for the purpose of spraying water onto a bather and that is connected to a flexible hose.

~~(14)~~(19) The following definitions refer to “spray sprinkler bodies”:

(i) “Pressure regulator” means a device that maintains constant operating pressure immediately downstream from the device, given higher pressure upstream; and

(ii) “Spray sprinkler body” means the exterior case or shell of a sprinkler incorporating a

means of connection to the piping system designed to convey water to a nozzle or orifice.

(20) The following definitions apply to state regulated battery charger systems:

(i) "Battery" or "battery pack" means an assembly of one or more rechargeable cells intended to provide electrical energy to a product, and may be in one of the following forms:

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

(B) Integral battery. A battery that is contained within the product and is not removed from the product for charging purposes.

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

(A) Electronic devices with a battery that are normally charged from AC line voltage or DC input voltage through an internal or external power supply and a dedicated battery charger;

(B) The battery and battery charger components of devices that are designed to run on battery power during part or all of their operations;

(C) Dedicated battery systems primarily designed for electrical or emergency backup;

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

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

~~(15)~~(21) The following definitions refer to “urinals” and “water closets”:

(i) “Dual-flush effective flush volume” means the average flush volume of two (2) reduced flushes and one full flush;

(ii) “Dual-flush water closet” means a water closet incorporating a feature that allows the user to flush the water closet with either a reduced or a full volume of water;

(iii) “Plumbing fixture” means an exchangeable device that connects to a plumbing system to deliver and drain away water and waste;

(iv) “Trough-type urinal” means a urinal designed for simultaneous use by two (2) or more persons;

(v) “Urinal” means a plumbing fixture that receives only liquid body waste and conveys the waste through a trap into a drainage system; and

(vi) “Water closet” means a plumbing fixture having a water-containing receptor that receives liquid and solid body waste through an exposed integral trap into a drainage system.

~~(16)~~(22) The following definitions refer to “water coolers”:

(i) “Cold only units” dispense cold water only;

(ii) “Cook and cold units” dispense both cold and room-temperature water;

(iii) “Hot and cold units” dispense both hot and cold water. Provided further that certain units also offer room-temperature water;

(iv) “On demand” means the water cooler heats water as it is requested, which typically takes a few minutes to deliver;

(v) “Storage-type” means thermally conditioned water is stored in a tank in the water cooler and is available instantaneously. Point-of-use, dry storage compartment, and bottled water coolers are included in this category; and

(vi) “Water cooler” means a freestanding device that consumes energy to cool and/or heat potable water.

(vii) “WaterSense” means a partnership program by the U.S. Environmental Protection Agency. Independent, third-party licensed certifying bodies certify that products meet EPA criteria for water efficiency and performance by following testing and certification protocols specific to each product category. Products that are certified to meet EPA specifications are allowed to bear the WaterSense label. (42 U.S.C. § 6294a (Energy Star Program).

39-27.1-3. Scope.

(a) The provisions of this chapter apply to:

(1) Computer server power supply units;

~~(1)~~(2) Commercial dishwashers;

~~(2)~~(3) Commercial fryers;

~~(3)~~(4) Commercial hot-food holding cabinets;

(5) Commercial and industrial fans and blowers;

~~(4)~~(6) Commercial ovens;

~~(5)~~ (7) Commercial steam cookers;

(8) Expanded scope electric motors;

~~(6)~~(9) Electric vehicle supply equipment;

~~(7)~~(10) Faucets;

~~(8)~~(11) Gas fireplaces;

~~(9)~~(12) Portable electric spas;

~~(10)~~(13) Residential ventilating fans;

~~(11)~~(14) Showerheads;

~~(12)~~(15) Spray sprinkler bodies;

(16) State-regulated battery charger systems;

~~(13)~~(17) Urinals;

~~(14)~~(18) Water closets; and

~~(15)~~(19) Water coolers.

(b) The provisions of this chapter do not apply to:

(1) New products manufactured in the state and sold outside the state;

(2) New products manufactured outside the state and sold at wholesale inside the state for final retail sale and installation outside the state;

(3) Products installed in mobile manufactured homes at the time of construction; or

(4) Products designed expressly for installation and use in recreational vehicles.

39-27.1-4. Standards.

(a) Not later than one year after the date of enactment of this chapter, the commissioner shall adopt regulations, in accordance with the provisions of chapter 35 of title 42, establishing minimum efficiency standards for the types of new products set forth in § 39-27.1-3.

(b) The regulations shall provide for the following minimum efficiency standards:

(1) Commercial dishwashers included in the scope of the ENERGY STAR Program Requirements Product Specification for Commercial Dishwashers, Version 2.0, shall meet the qualification criteria of that specification;

(2) Commercial fryers included in the scope of the ENERGY STAR Program Requirements Product Specification for Commercial Fryers, ~~Version 2.0~~ Version 3.0, shall meet the qualification criteria of that specification;

(3) Commercial hot-food holding cabinets shall meet the qualification criteria of the ENERGY STAR Program Requirements Product Specification for Commercial Hot Food Holding Cabinets, Version 2.0;

(4) Commercial ovens included in the scope of the ENERGY STAR Program Requirements Product Specification for Commercial Ovens, ~~Version 2.2~~ Version 3.0, shall meet the qualification criteria of that specification;

(5) Commercial steam cookers shall meet the requirements of the ENERGY STAR Program Requirements Product Specification for Commercial Steam Cookers, Version 1.2;

(6) Electric vehicle supply equipment included in the scope of the ENERGY STAR

Program Requirements Product Specification for Electric Vehicle Supply Equipment, Version 1.0 (Rev. Apr-2017), shall meet the qualification criteria of that specification;

(7) Faucets, except for metering faucets, shall meet the standards shown in this subsection when tested in accordance with Appendix S to Subpart B of Part 430 of Title 10 of the Code of Federal Regulations ~~and compliance with those requirements shall be~~ "Uniform Test Method for Measuring the Water Consumption of Faucets and Showerheads" — as in effect on January 1, 2020 and compliance with those requirements shall be:

(i) Lavatory faucets and replacement aerators ~~shall not exceed a maximum flow rate of one and five-tenths gallons per minute (1.5 gpm) at sixty pounds per square inch (60 psi)~~ included in the scope of the WaterSense Specification for Lavatory Faucets, Version 1.0, shall meet a maximum flow rate of one and two-tenths gallons per minute (1.2 gpm) and meet the performance criteria and other certification criteria of that specification;

(ii) Residential kitchen faucets and replacement aerators shall not exceed a maximum flow rate of one and eight-tenths gallons per minute (1.8 gpm) at sixty pounds per square inch (60 psi), with optional temporary flow of two and two-tenths gallons per minute (2.2 gpm), provided they default to a maximum flow rate of one and eight-tenths gallons per minute (1.8 gpm) at sixty pounds per square inch (60 psi) after each use; and

(iii) Public lavatory faucets and replacement aerators shall not exceed a maximum flow rate of five-tenths gallons per minute (0.5 gpm) at sixty pounds per square inch (60 psi);

(iv) Metering faucets shall not exceed a volumetric measure of water of 0.20 gallons per activation cycle and shall have no maximum flow rate specified (ie: gallons per minute) when tested in accordance with Clause 5.4.2.3.1 b) of ASME A112.18.1/CSA B125.1.

(8) Gas fireplaces shall comply with the following requirements:

(i) Gas fireplaces shall be capable of automatically extinguishing any pilot flame when the main gas burner flame is established and when it is extinguished;

(ii) Gas fireplaces must prevent any ignition source for the main gas burner flame from operating continuously for more than seven (7) days;

(iii) Decorative gas fireplaces must have a direct vent configuration, unless marked for replacement use only; and

(iv) Heating gas fireplaces shall have a fireplace efficiency greater than or equal to fifty percent (50%) when tested in accordance with CSA P.4.1-15, "Testing Method for Measuring Annual Fireplace Efficiency";

(9) Portable electric spas shall meet the requirements of the "American National Standard for Portable Electric Spa Energy Efficiency" (ANSI/APSP/ICC 14-2019);

(10) In-line residential ventilating fans shall have a fan motor efficacy of no less than two and eight-tenths (2.8) cubic feet per minute per watt. All other residential ventilating fans shall have a fan motor efficacy of no less than one and four-tenths (1.4) cubic feet per minute per watt for airflows less than ninety (90) cubic feet per minute and no less than two and eight-tenths (2.8) cubic feet per minute per watt for other airflows when tested in accordance with Home Ventilation Institute Publication 916 "HVI Airflow Test Procedure";

(11) Showerheads ~~shall not exceed a maximum flow rate of two gallons per minute (2.0 gpm) at eighty pounds per square inch (80 psi) when tested in accordance with Appendix S to Subpart B of Part 430 of Title 10 of the Code of Federal Regulations and compliance with those requirements shall be "Uniform Test Method for Measuring the Water Consumption of Faucets and Showerheads" as in effect on January 1, 2020~~ included in the scope of the WaterSense Specification for Showerheads Version 1.1 shall meet a maximum flow rate of one and eight-tenths gallons per minute (1.8 gpm) and meet the performance criteria and other certification criteria of that specification;

(12) Spray sprinkler bodies that are not specifically excluded from the scope of the WaterSense Specification for Spray Sprinkler Bodies, Version 1.0, shall include an integral pressure regulator and shall meet the water efficiency and performance criteria and other requirements of that specification;

(13) Urinals and water closets, other than those designed and marketed exclusively for use at prisons or mental health facilities, shall meet the standards shown in subsections (b)(13)(i) through (b)(13)(iv) of this section when tested in accordance with Appendix T to Subpart B of Part 430 of Title 10 of the Code of Federal Regulations — "Uniform Test Method for Measuring the Water Consumption of Water Closets and Urinals" — as in effect on January 1, 2020, and water closets shall pass the waste extraction test for water closets (Section 7.9) of the American Society of Mechanical Engineers (ASME) A112.19.2/CSA B45.1-2018:

(i) Wall-mounted urinals, except for trough-type urinals, shall have a maximum flush volume of five-tenths (0.5) gallons per flush;

(ii) Floor-mounted urinals, except for trough-type urinals, shall have a maximum flush volume of five-tenths (0.5) gallons per flush;

(iii) Water closets, except for dual-flush tank-type water closets, shall have a maximum flush volume of one and twenty-eight hundredths (1.28) gallons per flush; and

(iv) Dual-flush tank-type water closets shall have a maximum dual flush effective flush volume of one and twenty-eight hundredths (1.28) gallons per flush;

(14) Water coolers included in the scope of the ENERGY STAR Program Requirements

Product Specification for Water Coolers, Version 2.0, shall have on mode with no water draw energy consumption less than or equal to the following values as measured in accordance with the test requirements of that program:

(i) Sixteen hundredths kilowatt hours (0.16 KWh) per day for cold-only units and cook and cold units;

(ii) Eighty-seven hundredths kilowatt hours (0.87 KWh) per day for storage type hot and cold units; and

(iii) Eighteen hundredths kilowatt hours (0.18 KWh) per day for on demand hot and cold units.

(15) Computer server power supply units for computer servers included in the scope of the ENERGY STAR Program Requirements Product Specification for Computer Servers, Version 4.0, shall meet the certification criteria of that specification.

(16) The regulations shall provide for the following minimum efficiency standards:

(i) Commercial and industrial fans and blowers shall comply with the following requirements:

(A) Air circulating fans shall have a minimum efficiency (Effcirc), in cubic feet per minute per watt, at maximum speed of greater than or equal to the sum of sixteen times D to the fifth power and two hundred times D to the fourth power, all divided by Q squared, when tested in accordance with Appendix B to Subpart J of Part 431 of Title 10 of the Code of Federal Regulations as in effect on January 1, 2025, "Uniform Test Method for the Measurement of Energy Consumption of Air Circulating Fans," Effcirc is the minimum efficacy for air circulating fans (CFM/W). D is the impeller diameter for unhoused fans, and the lesser of impeller diameter and equivalent diameter for housed fans (inches). Q is the air circulating fan airflow rate, determined by the referenced test procedure at the maximum fan speed (cfm).

(B) Represented values of performance ratings for air circulating fans used to demonstrate compliance with the efficacy requirements shall be determined in accordance with 10 C.F.R. § 429.69, "Certification, Compliance, and Enforcement for Consumer Products and Commercial and Industrial Equipment" as in effect on January 1, 2025.

(C) The standards for air circulating fans do not apply to:

(I) Housed centrifugal air circulating fans;

(II) Air circulating fans with input power less than two hundred watts (200W) at maximum speed; or

(III) Air circulating fans where water is evaporated in the air stream of the fan.

(D) General fans and blowers within the scope of 10 C.F.R. § 431.174(a) as in effect on

January 1, 2025, shall have a fan energy index (FEI) no less than 1.05 at each duty point for which the fan is offered for sale when tested in accordance with Appendix A to Subpart J of Part 431 of Title 10 of the Code of Federal Regulations as in effect on January 1, 2025, " Uniform Test Method for the Measurement of Energy Consumption of Fans and Blowers Other Than Air Circulating Fans including, but not limited to, provisions on alternative efficiency determination methods (AEDMs) and additional testing requirements concerning selection of models to be tested if an AEDM is to be applied in 10 C.F.R. § 429.69 and § 429.70 as in effect on January 1, 2025. General fans and blowers may also be tested in accordance with Sections 6.4 and 6.5 of ANSI/AMCA Standard 214-21, Test Procedure for Calculating Fan Energy Index (FEI) for Commercial and Industrial Fans and Blowers."

(E) The standards for general fans and blowers do not apply to:

(I) Fans and blowers embedded in the equipment listed in paragraph (a)(3) of 10 C.F.R. § 431.174(a)(3) as in effect on January 1, 2025;

(II) Fans and blowers embedded in equipment other than the equipment listed [subsection 5(a)] that are available only as part of a manufactured assembly that includes functions other than air movement or as a replacement part for that assembly;

(III) Any other fan type listed as exempt in 10 C.F.R. § 431.174(a) as in effect on January 1, 2025;

(IV) Radial-housed-unshrouded fans; or

(V) Rimmed radial-unshrouded fans.

(VI) A fan or blower shall be deemed to be offered for sale at a duty point if:

(aa) The selection software provided by the manufacturer or seller returns such fan or blower as recommended for use at such duty point; or

(bb) The manufacturer or seller otherwise knowingly sells a fan or blower to an end user who intends to use the fan or blower at such duty point.

(17) Expanded scope electric motors with a power rating of greater than or equal to twenty-five hundredths (0.25) horsepower and less than or equal to three (3) horsepower shall meet the minimum efficiency standards outlined in "Energy Conservation Program: Energy Conservation Standards for Expanded Scope Electric Motors" (88 Fed. Reg. 87062, published December 15, 2023) when tested in accordance with Appendix B to Subpart B of Part 431 of Title 10 of the Code of Federal Regulations as in effect on January 1, 2025.

(18) Large battery charger systems and battery backup or UPS systems shall meet the requirements of § 39-27.1-2(20) and compliance with those requirements shall be as measured in accordance with test methods prescribed in § 1604(w) of those regulations.

(i) The rules shall define "large battery charger system" and "battery backup or uninterruptible power supply charger (UPS)" to have the same meaning as set forth in § 39-27.1-2(20).

39-27.1-5. Implementation.

(a) No commercial dishwasher, commercial fryer, commercial hot-food holding cabinet, commercial oven, commercial steam cooker, electric vehicle supply equipment, ~~faucet~~, gas fireplace, portable electric spa, residential ventilating fan, ~~showerhead~~, spray sprinkler body, urinal, water closet, or water cooler manufactured on or after January 1, 2023, may be sold or offered for sale, lease, or rent in the state unless the new product meets the requirements of the standards provided in this chapter.

(b) One year after the date upon which the sale or offering for sale of certain products becomes subject to the requirements of subsection (a) of this section, no such products may be installed for compensation in the state unless the efficiency of the new product meets or exceeds the efficiency standards provided in § 39-27.1-4.

(c) No commercial dishwasher, commercial oven, computer server power supply unit, faucet, general fan or blower, or showerhead manufactured on or after January 1, 2028, may be sold or offered for sale, lease, or rent in the state unless the new product meets the requirements of the standards provided in this chapter. On or after January 1, 2029, no new expanded scope electric motor may be sold or offered for sale, lease, or rent in the state unless the new product meets the requirements of the standards provided in § 39-27.1-4.

39-27.1-6. New and revised standards.

(a) The commissioner may adopt regulations, in accordance with the provisions of chapter 35 of title 42, to establish increased efficiency standards for the products listed or incorporated in § 39-27.1-3. In considering the new or amended standards, the commissioner shall set efficiency standards upon a determination that increased efficiency standards would serve to promote energy or water conservation in the state and would be cost effective for consumers who purchase and use these new products; provided that, no new or increased efficiency standards shall become effective within one year following the adoption of any amended regulations establishing such increased efficiency standards.

(b) If any of the energy or water conservation standards issued or approved for publication by the Office of the United States Secretary of Energy as of January 19, 2025, pursuant to the Energy Policy and Conservation Act (Parts 430-431 of Title 10 of the Code of Federal Regulations), are withdrawn, repealed, or otherwise voided, the minimum energy or water efficiency level permitted for products previously subject to federal energy or water conservation standards in this

state shall be the applicable federal standards as of January 19, 2025, and no such new product may be sold or offered for sale, lease or rent in this state unless it meets or exceeds such standards. This section shall not apply to any federal energy or water conservation standard set aside by a court upon the petition of a person who will be adversely affected, as provided in 42 U.S.C. § 6306(b).

39-27.1-7. Testing — Certification — Labeling — Enforcement.

(a) The manufacturers of products covered by this chapter shall test samples of their products in accordance with the test procedures adopted pursuant to this chapter. The commissioner may adopt updated test methods when new versions of test procedures become available.

(b) Manufacturers of new products covered by § 39-27.1-3 shall certify to the commissioner that the products are in compliance with the provisions of this chapter. The certifications shall be based on test results. The commissioner shall promulgate regulations governing the certification of the products and shall coordinate with the certification programs of other states and federal agencies with similar standards.

(c) Manufacturers of new products covered by § 39-27.1-3 shall identify each product offered for sale or installation in the state as in compliance with the provisions of this chapter by means of a mark, label, or tag on the product and packaging at the time of sale or installation. The commissioner shall promulgate regulations governing the identification of the products and packaging, which shall be coordinated to the greatest practical extent with the labeling programs of other states and federal agencies with equivalent efficiency standards. The commissioner shall allow the use of existing marks, labels, or tags, that connote compliance with the efficiency requirements of this chapter.

(d) The commissioner may test products covered by § 39-27.1-3. If products so tested are found not to be in compliance with the minimum efficiency standards established under § 39-27.1-4, the commissioner shall:

(1) Charge the manufacturer of such product for the cost of product purchase and testing; and

(2) Make information available to the attorney general and the public on products found not to be in compliance with the standards.

(e) With prior notice and at reasonable and convenient hours, the commissioner may cause periodic inspections to be made of distributors or retailers of new products covered by § 39-27.1-3 in order to determine compliance with the provisions of this chapter. The commissioner shall also coordinate with the state building code standards committee regarding inspections prior to occupancy of newly constructed buildings containing new products that are also covered by chapter 27.3 of title 23.

(f) The commissioner shall investigate complaints received concerning violations of this chapter and shall report the results of the investigations to the attorney general. The attorney general may institute proceedings to enforce the provisions of this chapter. Any manufacturer, distributor, or retailer, or any person who installs a product covered by this chapter for compensation, who or that violates any provision of this chapter shall be issued a warning by the commissioner for any first violation and subject to a civil penalty of up to one hundred dollars ($100) for each offense. Repeat violations shall be subject to a civil penalty of not more than five hundred dollars ($500) for each offense. Each violation shall constitute a separate offense, and each day that the violation continues shall constitute a separate offense. Penalties assessed under this subsection are in addition to costs assessed under subsection (d) of this section.

(g) The commissioner may adopt such further regulations as necessary to ensure the proper implementation and enforcement of the provisions of this chapter.

(h) The manufacturers of products covered by this chapter shall test samples of their products in accordance with the test procedures found in the Energy Policy and Conservation Act (Parts 430-431 of Title 10 of the Code of Federal Regulations) as of January 19, 2025, in accordance with the federal test procedures as in place on January 19, 2025. Rhode Island Energy may adopt updated test methods by regulation when new versions of test methods become available or when an alternative test method has been adopted by another state or the federal government.

(i) Manufacturers of new products covered by this chapter shall certify that such products are in compliance with the provisions of this chapter to the Modernized Appliance Efficiency Database System, the State Appliance Standards Database, and the Certified Products Directory, or to an approved third-party database as determined by the Rhode Island office of energy resources. Such certifications shall be based on test results. The agency may promulgate regulations further governing the certification of such products and may coordinate with the certification programs of other states and federal agencies with similar standards.

(j) Initial test requirements for general fans and blowers. Unless the commissioner amends the requirements pursuant to this section, for general fans and blowers, test results may be based on a single unit (sample) or may include use of an alternative efficiency determination method, in accordance with the requirements of 10 C.F.R. § 429.69 and § 429.70 (88 Fed. Reg. 27312, 27387–27389, published May 1, 2023, with technical amendments at 88 Fed. Reg. 53371, 53375-53377, published August 8, 2023), as existing at the time of enactment.

(k) Labels for commercial and industrial fans and blowers. For general fans and blowers and air circulating fans, the following information shall be legibly and conspicuously displayed in an accessible place on each physical unit:

(1) Manufacturer's name or brand name or trademark (i.e., either the name, brand, or trademark of the listed manufacturer) as provided pursuant to the provisions of § 39-27.1-7(c);

(2) Model number; and

(3) Date or date code of manufacture, indicating year and month.

(*l*) Additional requirements applicable to fans and blowers. Testing of general fans and blowers and air circulating fans shall be performed by a laboratory that:

(1) Has proof of compliance with ISO/IEC 17025 "General requirements for the competence of testing and calibration laboratories" from a third-party accreditation body; and

(2) Is accredited by AMCA International Inc. to perform testing in accordance with at least one of the following:

(i) ANSI/AMCA Standard 210 "Laboratory Methods of Testing Fans for Certified Aerodynamic Performance Rating";

(ii) ISO Standard 5801, "Fans -- Performance testing using standardized airways";

(iii) ANSI/AMCA Standard 230 "Laboratory Methods of Testing Air Circulating Fans for Rating and Certification."

SECTION 2. This act shall take effect upon passage.

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EXPLANATION

BY THE LEGISLATIVE COUNCIL

OF

A N A C T

RELATING TO PUBLIC UTILITIES AND CARRIERS -- APPLIANCE AND EQUIPMENT ENERGY AND WATER EFFICIENCY STANDARDS ACT OF 2021

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This act would establish minimum energy and water efficiency standards for appliance and specified equipment purchased or installed after January 1, 2025.

This act would take effect upon passage.

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