

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. Definitions. As used in this Section:

7 "Automatic commercial ice-maker" means a factory-made  
8 assembly (not necessarily shipped in one package) consisting  
9 of a condensing unit and ice-making section operating as an  
10 integrated unit with means for making and harvesting ice. It  
11 may also include means for storing or dispensing ice, or  
12 both.

13 "Director" means the Director of Natural Resources.

14 "Illuminated exit sign" means an internally-illuminated  
15 sign that is designed to be permanently fixed in place and  
16 used to identify an exit, in which a light source illuminates  
17 the sign or letters from within and the background of the  
18 exit sign is not transparent.

19 "Large packaged air-conditioning equipment" means  
20 packaged air-conditioning equipment with over 20 tons of  
21 cooling capacity.

22 "Low-voltage dry-type transformer" means a transformer  
23 that has an input voltage of 600 volts or less, is  
24 air-cooled, and does not use oil as a coolant.

25 "Packaged air-conditioning equipment" means  
26 air-conditioning equipment that is built as a package and  
27 shipped as a whole to end-user sites.

28 "Refrigerated bottled or canned beverage vending machine"  
29 means a vending machine that cools bottled or canned  
30 beverages and dispenses them upon payment.

31 "Set-top box" means a commercially available electronic

1 product the purpose of which is to receive, send, process,  
2 translate, or record signals that are then sent to a  
3 television or similar display device for viewing or to a  
4 computer for processing.

5 "Torchiere fixture" means a portable electric lighting  
6 fixture with a reflector bowl giving light directed upward so  
7 as to give indirect illumination.

8 "Traffic signal" means a device consisting of a set of  
9 signal lights operating in sequence, placed at an  
10 intersection to regulate traffic.

11 "Traffic signal module" means a standard 8-inch (200mm)  
12 or 12-inch (300mm) round traffic signal indication. It  
13 consists of a light source, lens, and all parts necessary for  
14 operation and communicates movement messages to drivers  
15 through red, amber, and green or similar colors. Arrow  
16 modules in the same colors are used to indicate turning  
17 movements. Lane control modules indicate whether traffic  
18 lanes are open or closed.

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

24 "Unit heater" means a self-contained fan-type heater  
25 designed to be installed within the heated space. Unit  
26 heaters include an apparatus or appliance to supply heat and  
27 a fan for circulating air over a heat exchange surface, all  
28 enclosed in a common casing. Unit heaters do not include warm  
29 air furnaces as specifically defined under the federal Energy  
30 Policy Act of 1992.

31 "Vending machine" means a machine that dispenses food,  
32 beverages, and other commodities upon payment.

33 Section 10. Standards.

1 (a) The provisions of this Section apply to the testing,  
2 certification, and enforcement of efficiency standards for  
3 the following types of new products sold, offered for sale,  
4 or installed in this State:

- 5 (1) torchiere fixtures;
- 6 (2) unit heaters;
- 7 (3) low-voltage dry-type transformers;
- 8 (4) refrigerated bottled or canned beverage vending  
9 machines;
- 10 (5) traffic signal modules;
- 11 (6) illuminated exit signs;
- 12 (7) automatic commercial ice-makers;
- 13 (8) large packaged air-conditioning equipment;
- 14 (9) set-top boxes; and
- 15 (10) other products that may be designated by the  
16 Director.

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

- 18 (1) new products manufactured in the State and sold  
19 outside the State;
- 20 (2) new products manufactured outside of this State  
21 and sold at wholesale inside the State for final retail  
22 sale and installation outside of this State;
- 23 (3) products installed in mobile manufactured homes  
24 at the time of construction; or
- 25 (4) products designed expressly for installation  
26 and use in recreational vehicles.

27 (c) Not later than January 1, 2004, the Director, in  
28 consultation with heads of other appropriate agencies shall  
29 adopt rules in accordance with the provisions of this Act  
30 establishing minimum energy efficiency standards for the  
31 types of new products set forth in subsection (a) of this  
32 Section. The rules shall provide for the following minimum  
33 efficiency standards:

- 34 (1) Torchiere fixtures shall not consume more than

1 190 watts and shall not be capable of operating with  
2 lamps that total more than 190 watts.

3 (2) Commercial unit heaters shall not have pilot  
4 lights and shall have either power venting or an  
5 automatic flue damper.

6 (3) The efficiency of all low voltage dry-type  
7 distribution transformers shall be not less than the  
8 values shown in Table 4-2 of National Electrical  
9 Manufacturers Association Standard TP-1-1996.

10 (4) Refrigerated beverage vending machines shall  
11 use T-8 fluorescent lamps with electronic ballasts or a  
12 lighting system of equal or greater efficacy.

13 (5) Traffic signal modules shall meet the  
14 requirements of the "Energy Star Program Requirements for  
15 Traffic Signals" developed by the U.S. Environmental  
16 Protection Agency that took effect in February 2001.

17 (6) Illuminated exit signs shall meet the  
18 requirements of the "Energy Star Program Requirements  
19 for Exit Signs" developed by the U.S. Environmental  
20 Protection agency that took effect on January 1, 1999.

21 (7) Automatic commercial ice makers shall meet the  
22 requirements of the "Commercial Ice-Maker Efficiency  
23 Recommendation" developed by the Federal Energy  
24 Management Program of the U.S. Department of Energy and  
25 dated November 2000.

26 (8) Large packaged air-conditioning equipment shall  
27 meet the Tier II requirements of the "Minimum Equipment  
28 Efficiencies for Unitary Commercial Air Conditioners" and  
29 "Minimum Equipment Efficiencies for Heat Pumps" developed  
30 by the Consortium for Energy Efficiency, Boston,  
31 Massachusetts, as in effect on January 1, 2002.

32 (9) Set-top boxes shall meet the requirements of  
33 the "Energy Star Program Requirements for Set-top Boxes"  
34 developed by the U.S. Environmental Protection Agency

1 that took effect on January 1, 2001.

2 (d) Beginning January 1, 2004, no new product of a type  
3 set forth in subsection (a) of this Section may be sold or  
4 offered for sale in this State unless the energy efficiency  
5 of the new product meets or exceeds the efficiency standards  
6 set forth in the rules adopted pursuant to this Act.  
7 Beginning January 1, 2005, no new product of a type set forth  
8 in subsection (a) may be installed in this State unless the  
9 energy efficiency of the new product meets or exceeds the  
10 efficiency standards set forth in the rules adopted pursuant  
11 to this Act.

12 Section 15. Enhanced standards. The Director may  
13 establish increased efficiency standards on the products  
14 listed in this Act. The Director may also establish standards  
15 for products not specifically listed in this Act. In  
16 considering new or amended standards, the Director, in  
17 consultation with the heads of other appropriate departments,  
18 shall set efficiency standards upon a determination that  
19 increased efficiency standards would serve to promote energy  
20 conservation in the State and would be cost-effective for  
21 consumers who purchase and use new products, provided no new  
22 or increased efficiency standards shall become effective  
23 within one year following the adoption of any amended rules  
24 providing for the increased efficiency standards. The  
25 Director may apply for a waiver of federal preemption in  
26 accordance with federal procedures for those products  
27 regulated by the federal government. The Director may adopt  
28 any further rules as necessary to implement the provisions of  
29 this Act.

30 Section 20. Testing procedures; certification.

31 (a) The Director, in consultation with heads of other  
32 appropriate departments, shall adopt procedures for testing

1 the energy efficiency of the new products covered by Section  
2 10 of this Act. The Director shall use United States  
3 Department of Energy approved test methods. The manufacturers  
4 of those products shall cause samples of the appliances to be  
5 tested in accordance with the test procedures adopted  
6 pursuant to this Act.

7 (b) Manufacturers of new products covered by this Act  
8 shall certify to the Director that the products are in  
9 compliance with the provisions of this Act. The Director  
10 shall promulgate rules governing the certification of the  
11 products and may propose to work in coordination with the  
12 certification program of other states with like standards.

13 (c) The Director may test products covered by this Act  
14 by using an accredited testing facility. If products so  
15 tested are found not to be in compliance with the minimum  
16 efficiency standards established under this Act, the Director  
17 shall charge the manufacturer of the product for the cost of  
18 product purchase and testing, and provide information to the  
19 public on products found not to be in compliance with the  
20 standards.

21 Section 25. Inspections. The Director may cause periodic  
22 inspections to be made of distributors or retailers of new  
23 products covered by this Act in order to determine compliance  
24 with the provisions of this Act.

25 Section 30. Investigations; enforcement. The Director  
26 shall cause investigations to be made of complaints received  
27 concerning violations of this Act and shall report the  
28 results of those investigations to the Attorney General. The  
29 Attorney General may institute proceedings to enforce the  
30 provisions of this Act.

31 Section 35. Penalties. Any manufacturer, distributor, or

1 retailer who violates any provision of this Act shall be  
2 issued a warning by the Director for any first violation.  
3 Repeat violations shall be subject to a civil penalty of not  
4 more than \$250. Each violation of this Act shall constitute a  
5 separate offense, and each day that such violation continues  
6 shall constitute a separate offense. Penalties assessed under  
7 this Act are in addition to any costs assessed under Section  
8 20 of this Act.