

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Randolph offered the following:

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3 **Amendment to Amendment (155237) (with title amendment)**

4 Between lines 4 and 5, insert:

5 Section 101. Section 553.954, Florida Statutes, is amended
6 to read:

7 553.954 Adoption of standards.--The Department of
8 Community Affairs shall adopt, modify, revise, update, and
9 maintain the Florida Energy Efficiency Conservation Standards to
10 implement the provisions of this part and amendments thereto in
11 accordance with the procedures of chapter 120. The department
12 may also work with the Florida Building Commission to coordinate
13 inspections for new products that are covered by the Florida
14 Building Code.

15 Section 102. Section 553.955, Florida Statutes, is amended
16 to read:

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553.955 Definitions.--For purposes of this part:

(1) "Boiler" means a commercial or residential space heater that is a self-contained appliance for supplying steam or hot water primarily intended for space heating. The term excludes hot water supply boilers.

~~(2)~~(1) "AV" means the adjusted volume for refrigerators, refrigerator-freezers, and freezers, as defined in the applicable test procedure.

(3) "Bottle-type water dispenser" means a water dispenser that uses a bottle or reservoir as the source of potable water.

~~(4)~~(2) "Ballast" or "fluorescent lamp ballast" means a device to operate a fluorescent lamp by providing a starting voltage and current and limiting the current during normal operation. It must also be designed to:

(a) Operate at nominal input voltages of 120 or 227 volts.

(b) Operate with an input frequency of 60 hertz.

~~(5)~~(3) "Ballast efficiency factor" means the ratio of relative light output, expressed as a percent, to the power input, expressed in watts under test conditions.

~~(6)~~(4) "Code" means the Florida Energy Efficiency Code for Building Construction.

(7) "Commercial hot food holding cabinet" means a heated, fully enclosed compartment, with one or more solid or partial glass doors, that is designed to maintain the temperature of hot food that has been cooked in a separate appliance. The term excludes heated glass merchandising cabinets, drawer warmers, or cook-and-hold appliances.

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44 ~~(8)-(5)~~ "Date of sale" means the day when the product is
45 physically delivered to the buyer.

46 (9) "Department" means the Department of Community
47 Affairs.

48 (10) "Distributor" means any person or business entity
49 which distributes a privately labeled product on a national
50 basis for which the specifications for manufacture, testing, and
51 certification are established and attested to by the
52 distributor, rather than the manufacturer.

53 ~~(11)-(8)~~ "Energy efficiency conservation standard" or
54 "energy conservation standard" means:

55 (a) A performance standard which prescribes a minimum
56 level of energy efficiency or a maximum quantity of energy use
57 for a covered product, determined in accordance with applicable
58 test procedures;

59 (b) A design requirement for the products specified in s.
60 553.957; or

61 (c) A testing and rating requirement for the products
62 specified in s. 553.957; and includes any other requirements
63 which the department may prescribe.

64 ~~(12)-(9)~~ "F40T12 lamp" means a tubular fluorescent lamp
65 which is a nominal 40 watts, with a 48-inch tube, 1.5 inches in
66 diameter. These lamps conform to American National Standards
67 Institute standard C.78.1-1978.

68 ~~(13)-(10)~~ "F96T12 lamp" means a tubular fluorescent lamp
69 which is a nominal 75 watts, with a 96-inch tube, 1.5 inches in
70 diameter. These lamps conform to American National Standards
71 Institute standard C.78.3-1978.

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72 ~~(14)-(11)~~ "Luminaire" means a complete lighting unit
73 consisting of a fluorescent lamp or lamps, together with parts
74 designed to distribute the light, to position and protect such
75 lamps, and to connect such lamps to the power supply.

76 (15) "Manufacturer" means any person or business entity
77 engaged in the original production or assembly of a product.

78 ~~(16)-(13)~~ "New product" means a product that is sold,
79 offered for sale, or installed for the first time and
80 specifically includes floor models and demonstration units.

81 ~~(17)-(14)~~ "Nominal input voltage" means an input voltage
82 within plus 5 percent or minus 5 percent of a specified value.

83 ~~(18)-(15)~~ "Nominal lamp watts" means the wattage at which a
84 fluorescent lamp is designed to operate.

85 ~~(19)-(16)~~ "Occupancy" means an occupied building or part of
86 a building.

87 ~~(20)-(17)~~ "Operation" means the ability to start the lamp
88 at least 8 times out of 10 with a minimum of 1 minute between
89 attempts when tested under test conditions.

90 ~~(21)-(18)~~ "Power input" means the rate of energy
91 consumption in watts of a ballast and fluorescent lamp or lamps.

92 (22) "Refrigerated bottled or canned beverage vending
93 machine" means a commercial refrigerator that cools bottled or
94 canned beverages and dispenses such beverages upon payment.

95 ~~(23)-(19)~~ "Relative light output" means the test ballast
96 light output divided by a reference ballast light output using
97 the same reference lamp and expressing the value as a percent.

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98 (24) "Water dispenser" means a factory-made assembly that
99 mechanically cools and heats potable water and that dispenses
100 the cooled or heated water by integral or remote means.

101 (25) With respect to audio and video equipment:

102 (a) "Compact audio product," also known as a "mini,"
103 "mid," "micro," or "shelf audio system," means an integrated
104 audio system encased in a single housing that includes an
105 amplifier and radio tuner and attached or separable speakers and
106 can reproduce audio from magnetic tape, a CD, a DVD, or flash
107 memory. The definition does not include products that can be
108 independently powered by internal batteries or a powered
109 external satellite antenna or can provide a video output signal.

110 (b) "Digital versatile disc" or "DVD" means a laser-
111 encoded plastic medium capable of storing a large amount of
112 digital audio, video, and computer data.

113 (c) "Digital versatile disc player" or "DVD player" means
114 a commercially available electronic product encased in a single
115 housing that includes an integral power supply and for which the
116 sole purpose is the decoding of digitized video signals on a
117 DVD.

118 (d) "Digital versatile disc recorder" or "DVD recorder"
119 means a commercially available electronic product encased in a
120 single housing that includes an integral power supply and for
121 which the sole purpose is the production or recording of
122 digitized audio and video signals on a DVD. The definition does
123 not include models that have an EPG function.

124 (26) With respect to pool and spa equipment:

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125 (a) "Pool heater" means an appliance designed for heating
126 nonpotable water contained at atmospheric pressure for swimming
127 pools, spas, hot tubs, and similar products.

128 (b) "Portable electric spa" means a factory-built electric
129 spa or hot tub supplied with equipment for heating and
130 circulating water.

131 (c) "Residential pool pump" means a pump used to circulate
132 and filter pool water in order to maintain clarity.

133 ~~(27)~~(20) With respect to refrigerators, freezers, and
134 refrigerator-freezers:

135 (a) "Automatic defrost system" means a defrost system in
136 which the defrosting action for all refrigerated surfaces is
137 initiated and terminated automatically.

138 (b) "Freezer" means a cabinet designed as a unit for the
139 storage of food at temperatures of about 0 °F, having the
140 ability to freeze food, and having a source of refrigeration
141 requiring an energy input.

142 (c) "Refrigerator" means a cabinet designed for the
143 refrigerated storage of food at temperatures above 32 °F, and
144 having a source of refrigeration requiring an energy input. It
145 may include a compartment for the freezing and storage of food
146 at temperatures below 32 °F, but does not provide a separate low
147 temperature compartment designed for the freezing of and the
148 long-term storage of food at temperatures below 8 °F. It has
149 only one exterior door, but it may have interior doors on
150 compartments.

151 (d) "Refrigerator-freezer" means a cabinet which consists
152 of two or more compartments with at least one of the

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153 compartments designed for the refrigerated storage of foods at
154 temperatures above 32 °F, and with at least one of the
155 compartments designed for the freezing of and the storage of
156 frozen foods at temperatures of 8 °F or below. The source of
157 refrigeration requires energy input.

158 ~~(28)~~~~(21)~~ Definitions used in the code shall also apply to
159 terms used in this part.

160 Section 103. Section 553.957, Florida Statutes, is amended
161 to read:

162 553.957 Products covered by this part.--

163 (1) The provisions of this part apply to the testing,
164 certification, and enforcement of energy conservation standards
165 for the following types of new commercial and residential
166 products sold in the state:

167 (a) Bottle-type water dispensers.

168 ~~(b)~~~~(a)~~ Refrigerators, refrigerator-freezers, and freezers
169 which can be operated by alternating current electricity,
170 excluding:

171 1. Any type designed to be used without doors; and

172 2. Any type which does not include a compressor and
173 condenser unit as an integral part of the cabinet assembly.

174 (c) Commercial boilers.

175 ~~(d)~~~~(b)~~ Lighting equipment.

176 (e) Commercial hot food holding cabinets.

177 (f) Compact audio products.

178 (g) Digital versatile disc players and recorders.

179 (h) Pool heaters.

180 (i) Portable electric spas.

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181 (j) Residential pool pumps.

182 (k)~~(e)~~ Showerheads.

183 (l) Refrigerated bottled or canned beverage vending
184 machine.

185 (m)~~(d)~~ Any other type of consumer product which the
186 department classifies as a covered product as specified in this
187 part.

188 (2) The provisions of this part do not apply to:

189 (a) New products manufactured in the ~~this~~ state and sold
190 outside the state.

191 (b) New products manufactured outside the ~~this~~ state and
192 sold at wholesale in the ~~this~~ state for final retail sale and
193 installation outside the state.

194 (c) Products installed in manufactured homes at the time
195 of construction.

196 (d)~~(e)~~ Products designed expressly for installation and
197 use in recreational vehicles ~~or other equipment designed for~~
198 ~~regular mobile use.~~

199 Section 104. Section 553.961, Florida Statutes, is amended
200 to read:

201 553.961 Test methods.--

202 (1) The manufacturer shall cause the testing of samples of
203 each model of each product covered by this part. Test procedures
204 identified in the code shall be the accepted test procedures for
205 those products addressed by the code. Test procedures for
206 products not addressed in the code shall be determined by the
207 department. The department shall use United States Department of
208 Energy approved test methods or, in the absence of such test

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209 methods, other appropriate nationally recognized test methods
210 applicable to the respective products. The department may elect
211 to develop and prescribe other test methods based upon the
212 department's determination that use of such other test methods
213 is justified due to decreased cost, increased accuracy, or the
214 general use and acceptance of a specific test method by the
215 industry involved.

216 (2) The department may test products covered by this part.
217 If products are found to not be in compliance with the minimum
218 energy efficiency standards established under this part, the
219 department shall charge the manufacturer of such product for the
220 cost of product purchase and testing and shall provide
221 information to the public on products found not to be in
222 compliance with the standards.

223 (3) The department may coordinate with the certification
224 programs of other states and federal agencies with similar
225 standards to the maximum extent practicable, including
226 investigating whether certification in another state can serve
227 as a substitute for certification in this state.

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T I T L E A M E N D M E N T

Remove lines 9-10 and insert:

HOUSE AMENDMENT

Bill No. HB 7135

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236 amending ss. 553.954 and 553.955, F.S.; revising provisions
237 relating to certain energy standards; amending s. 553.957, F.S.;
238 revising the list of products covered by the Florida Energy
239 Conservation Standards Act; amending s. 553.961, F.S.;
240 authorizing the department to test certain products for energy
241 efficiency; requiring the department to charge manufacturers for
242 costs related to the testing of products under certain
243 circumstances; requiring the department to provide information
244 to the public on certain products; requiring the department to
245 coordinate with other state and federal agencies for certain
246 product certification;

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