By Senator Altman

24-00768A-11 20111216__

A bill to be entitled

An act relating to energy conservation standards; amending s. 553.955, F.S.; providing definitions relating to roofing standards and hardscape standards; amending s. 553.957, F.S.; including roofs and hardscapes within those products that are covered by specific energy conservation standards; amending s. 553.963, F.S.; establishing standards for roof and roofing materials; providing exemptions; establishing standards for hardscapes and materials related to hardscapes; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 553.955, Florida Statutes, is amended to read:

553.955 Definitions.—For purposes of this part:

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

(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.

(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.

(4) "Ballasted roof" means a roof having a minimum of 15 pounds per square foot of ballast to weigh down a roofing membrane over a substrate to resist wind uplift, and includes, but is not limited to, river rock aggregate and pavers.

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

(6) "Cool roof" means a roof that reflects the sun's heat and emits absorbed radiation back into the atmosphere within the standards in this part.

(7) ~~(5)~~ "Date of sale" means the day when the product is physically delivered to the buyer.

(8) ~~(6)~~ "Department" means the Department of Community Affairs.

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

(10) ~~(8)~~ "Energy conservation standard" means:

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

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

(c) A testing and rating requirement for the products specified in s. 553.957; and

includes any other requirements which the department may

prescribe.

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

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

(13) "Hardscape" means the nonliving portions of a building's landscaping, including, but not limited to, roads, sidewalks, courtyards, and parking lots.

(14) "Heat island effect" means an elevated temperature over an urban area, compared to rural areas, which is typically caused by the increased presence of dark, heat-absorbing materials.

(15) "Low-sloped roof" means a roof having slopes of a rise of 0 units in a horizontal length, up to and including a roof having slopes of a rise of 2 units in a horizontal length of 12 units.

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

(17)~~(12)~~ "Manufacturer" means any person or business entity engaged in the original production or assembly of a product.

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

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

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

(21)~~(16)~~ "Occupancy" means an occupied building or part of a building.

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

(23) "Pervious pavement system" means a porous surface system having a stabilized base that allows water from precipitation and other sources to pass directly through, thereby reducing runoff from the site, allowing groundwater recharge, and naturally cooling the surface through evaporation from pavement voids beneath.

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

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

(26) "Solar reflectance value" means the fraction of solar energy reflected by a material.

(27) "Steep-sloped roof" means a roof having slopes of greater than 2 units in a horizontal length of 12 units.

(28)~~(20)~~ With respect to refrigerators, freezers, and refrigerator-freezers:

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

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

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

(d) "Refrigerator-freezer" means a cabinet which consists of two or more compartments with at least one of the compartments designed for the refrigerated storage of foods at temperatures above 32 °F, and with at least one of the compartments designed for the freezing of and the storage of frozen foods at temperatures of 8 °F or below. The source of refrigeration requires energy input.

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

Section 2. Present paragraph (d) of subsection (1) of section 553.957, Florida Statutes, is redesignated as paragraph (f), and a new paragraph (d) and paragraph (e) are added to that subsection, to read:

553.957 Products covered by this part.—

(1) The provisions of this part apply to the testing, certification, and enforcement of energy conservation standards

for the following types of new products sold in the state:

(d) Roofs and roofing materials.

(e) Hardscapes and materials associated with hardscapes.

Section 3. Present subsection (4) of section 553.963, Florida Statutes, is renumbered as subsection (6), and a new subsection (4) and subsection (5) are added to that section, to read:

553.963 Energy conservation standards.—

(4) STANDARDS FOR NONRESIDENTIAL ROOFS.—

(a) The following are exempt from the standards for roofs:

1. Repair or replacement of less than 50 percent of the area of a roof in existence on July 1, 2011;

2. The substructure of a roof covered by the rooftop deck;

3. Vegetation associated with an extensive or intensive green roof, as defined by the United States Environmental Protection Agency, to reduce the heat island effect;

4. A rooftop deck covering a maximum of one-third of the total rooftop area; or

5. Any area used for photovoltaic and solar equipment.

(b) Roof exteriors must have a minimum solar reflectance value in conformity with this section, certified by:

1. ASTM E903 or ASTM E1918;

2. A test using a portable reflectometer at near ambient conditions;

3. The Cool Roof Rating Council; or

4. The United States Department of Energy’s Energy Star Program.

(c) Low-sloped roofs must be in compliance with the following standards:

1. Low-sloped roofs constructed as part of a new building must be composed of roofing products having an initial minimum solar reflectance value of 0.72 or a 3-year installed reflectance value of 0.5, as determined by the Cool Roof Rating Council or Energy Star Program.

2. If more than 50 percent of the total gross roof area is covered with vegetation associated with an extensive or intensive green roof, as defined by the United States Environmental Protection Agency, to reduce the heat island effect, the remainder of the roof must have a minimum solar reflectance value of 0.30.

3. Ballasted roofs constructed as part of a new building must have a minimum solar reflectance value of 0.30.

(d) Steep-sloped roofs must have an initial minimum solar reflectance value of 0.15.

(e) Roofs having multiple slopes must be in compliance with the requirements applicable to the slope that covers the largest area of the building footprint.

(5) STANDARDS FOR NONRESIDENTIAL HARDSCAPES.—

(a) Roof exterior surfaces and building materials used to comply with this section must have a minimum solar reflectance value, certified by:

1. ASTM E903 or ASTM E1918;

2. A test using a portable reflectometer at near ambient conditions;

3. The Cool Roof Rating Council; or

4. The United States Department of Energy's Energy Star Program.

(b) Paved surfaces and paving materials used to comply with

this section must have a minimum solar reflectance value, certified by:

1. ASTM E903 or ASTM E1918;

2. A test using a portable reflectometer at near ambient conditions; or

3. One of the following solar reflectance values for paving materials:

a. Typical new gray concrete, 0.35;

b. Typical weathered concrete, 0.20;

c. Typical new white concrete, 0.70;

d. Typical weathered white concrete, 0.40;

e. New asphalt, 0.05; or

f. Weathered asphalt, 0.10.

(c) At least 50 percent of the hardscape area at sites that have new construction must comply with one of the following requirements:

1. Shade for solar panels or roofing materials that have a minimum solar reflectance value of 0.30;

2. Shade from trees within 5 years after occupancy;

3. Paving materials that have a minimum solar reflectance value of 0.30;

4. A pervious pavement system; or

5. At least 50 percent of the parking spaces must be under cover, underground, under deck, under roof, or under building. Any roof used to shade or cover parking must have a minimum solar reflectance value of 0.30.

Section 4. This act shall take effect July 1, 2011.