

### Purpose of Legislative Concept

This LC would implement directive 7 of Governor Brown’s Executive Order 20-04 by conforming statute, per the process outlined in [ORS 469.261](#), to the equivalent energy efficiency standards for appliances that would be established in rule by the Oregon Department of Energy in 2020 for the purpose of saving Oregonians money, promoting energy conservation in Oregon, reducing energy and water use, reducing greenhouse gas emissions, and aligning West Coast appliance market standards. The LC would not provide any new agency authority to ODOE, but it would implement housekeeping measures to remove from statute those existing standards that have been preempted by federal standards since originally established in Oregon.

As directed in Executive Order 20-04, standards to be established by rule and then added to statute include:

- |                                    |                                   |
|------------------------------------|-----------------------------------|
| 1) High CRI fluorescent lamps      | 6) Commercial dishwashers         |
| 2) Computers and computer monitors | 7) Commercial steam cookers       |
| 3) Faucets                         | 8) Residential ventilating fans   |
| 4) Shower heads                    | 9) Electric storage water heaters |
| 5) Commercial fryers               | 10) Portable electric spas        |

### Background and Need for Legislative Concept

While some appliance efficiency standards are set at the federal level, there are also products that do not yet have a national standard and for which a new state standard could achieve meaningful energy and water savings and greenhouse gas reductions. Oregon has periodically enacted appliance efficiency standards as a method of saving consumers money and saving energy. Appliance efficiency standards provide the potential for significant cost savings and greenhouse gas reduction (as analyzed in [ODOE’s EO 17-20 Report on Appliance Standards](#)).

In 2005, Oregon established its first appliance energy efficiency standards for 11 product categories. Often, federal standards are later modeled after standards that were first enacted at the state level. Once adopted at the federal level, federal standards preempt state standards. Thirteen of Oregon’s current appliance standards have been preempted by the federal government. Part of this LC would remove from statute the Oregon standards that have been preempted by federal regulations.

California has been the most active state in developing and adopting efficiency standards for appliance categories that are not federally preempted, followed by Washington’s establishment of many new standards in 2019. Oregon’s standards for appliances have largely been based on similar standards developed for the large west coast market for appliances, but Oregon has not updated its standards or added new categories in over six years. By updating our standards, Oregon would create a clearer set of uniform standards across the western appliance market, support energy conservation for Oregon consumers, and provide alignment and harmonization with the Washington and California markets.

In ODOE's November 2018 [Report on Improving State Standards for Appliances](#), which was written to comply with Executive Order 17-20, Section 4.f., ODOE leveraged existing resources to identify state-specific opportunities for new appliance standards. In particular, ODOE staff reviewed work of other states, the Appliance Standards Awareness Project, American Council for an Energy-Efficient Economy, the Northwest Energy Efficiency Alliance, and the Pacific Coast Collaborative (which includes California, Oregon, Washington, and British Columbia), to provide a high-level review of the Oregon opportunities. ODOE staff coupled this review with outreach to engage stakeholders and industry representatives in discussions about Oregon's process for adopting and reviewing appliance standards. ODOE also reviewed existing research, information, analysis, and methodology, which was modified where appropriate to consider Oregon-specific variables such as emissions rates.

Executive Order 20-04, issued by Governor Brown on March 10, 2020, leveraged ODOE's identification of potential standards and savings for Oregon and recent activity of neighboring jurisdictions to provide a specific list of products for ODOE to establish energy efficiency standards by rule. Oregon law requires that, after ODOE completes rulemaking to establish and update appliance efficiency standards, legislation conforming those standards to statute must be introduced in the following Legislative Assembly. Passage of this LC would complete this process.

Appliance standards are an important energy-saving tool as new buildings progressively become more efficient and as an increasing share of energy consumption comes from the products and appliances that are "plugged in" or movable, often called the "plug load." Residential and commercial building energy codes have traditionally regulated space conditioning, water heating, and the building envelope, but not appliances that are part of a building's unregulated load. This bill would support energy efficiency and greenhouse gas reductions to address this portion of consumer energy consumption.

## Expected Fiscal Impact of this Legislative Concept

Revising energy efficient appliance standards through rulemaking and this LC can be absorbed with existing agency resources. There are minimal additional ongoing resources needed for program maintenance.

## Next Steps

ODOE has started to engage with stakeholders and will be reaching out to conduct more external engagement on this LC. Please let staff know if you are interested in this LC by email [AskEnergy@oregon.gov](mailto:AskEnergy@oregon.gov).