ACT 225 H.B. NO. 192

A Bill for an Act Relating to Energy Efficiency.

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

SECTION 1. The legislature finds that there have been many advances in the energy efficiency of lighting. Fluorescent bulbs were promoted in the 1980s because they are up to thirty-five per cent more energy efficient than the incandescent light fixtures widely in use at that time; however, further advances have been made with light-emitting diodes (LEDs) that are now up to eighty per cent more energy efficient than fluorescent bulbs and can last three to five times longer than fluorescent bulbs and thirty times longer than incandescent bulbs.

The legislature further finds that all fluorescent bulbs contain mercury, a toxic pollutant that bioaccumulates in the environment, can pollute air and water, and causes harm to wildlife and human health. The legislature notes that mercury-free alternatives exist for most of the thousands of products that contain mercury components.

The legislature believes that LEDs are a better alternative because they do not contain any mercury, are more energy efficient, and are the cheaper life-cycle cost lighting option for consumers and businesses. Phasing out the sale of mercury-containing bulbs in Hawaii will prevent additional toxic pollutants from being brought into the State's ecosystem, reduce energy use, and save consumer dollars.

Accordingly, the purpose of this Act is to prohibit the sale of certain fluorescent lamps in the State as a new manufactured product, with certain exemptions.

SECTION 2. Chapter 196, Hawaii Revised Statutes, is amended by adding a new part to be appropriately designated and to read as follows:

"**PART . FLUORESCENT LAMPS**

§196- Definitions. As used in this part, unless the context otherwise requires:

"Compact fluorescent lamp" means a compact low-pressure, mercury-containing, electric-discharge light source in which a fluorescent coating transforms some of the ultraviolet energy generated by the mercury discharge into visible light, and includes the following characteristics:

(1) One base (end cap) of any type, including but not limited to screw, bayonet, two pins, and four pins;
(2) Integrally ballasted or non-integrally ballasted;
(3) Light emission between a correlated color temperature of one thousand seven hundred Kelvin and twenty-four thousand Kelvin and

a Duv of +0.024 and -0.024 in the International Commission on Illumination Uniform Color Space;
(4) All tube diameters and all tube lengths; and
(5) All lamp sizes and shapes for directional and nondirectional installations, including but not limited to plug-in, spiral, twin tube, triple twin, 2D, U-bend, and circular.

"Linear fluorescent lamp" means a low-pressure, mercury-containing, electric-discharge light source in which a fluorescent coating transforms some of the ultraviolet energy generated by the mercury discharge into visible light, and includes all of the following characteristics:
(1) Two bases (end caps) of any type, including but not limited to single-pin, two-pin, and recessed double contact;
(2) Light emission between a correlated color temperature of one thousand seven hundred Kelvin and twenty-four thousand Kelvin and a Duv of +0.024 and -0.024 in the International Commission on Illumination Uniform Color Space;
(3) All tube diameters, including but not limited to T5, T8, T10, and T12;
(4) All tube lengths from 0.5 to eight feet, inclusive; and
(5) All lamp shapes, including but not limited to linear, U-bend, and circular.

§196- Fluorescent lamps; mercury-containing lighting; prohibited. It shall be unlawful to sell, offer for sale, or distribute for sale in the State as a new manufactured product:
(1) Beginning January 1, 2025, a screw or bayonet base type compact fluorescent lamp; and
(2) Beginning January 1, 2026, a pin-base type compact fluorescent lamp or linear fluorescent lamp.

§196- Exemptions. This part shall not apply to a lamp:
(1) Used for image capture and projection, including photocopying; printing, directly or in preprocessing; lithography; film and video projection; and holography;
(2) That has a high proportion of ultraviolet light emission and is one of the following:
(A) A lamp with high ultraviolet content that has ultraviolet power greater than two milliwatts per kilolumen;
(B) A lamp for germicidal use, such as the destruction of DNA, that emits a peak radiation of approximately 253.7 nanometers;
(C) A lamp used for disinfection or fly trapping from which either the radiation power emitted between two hundred fifty and three hundred fifteen nanometers represents at least five per cent of, or the radiation power emitted between three hundred fifteen and four hundred nanometers represents at least twenty per cent of, the total radiation power emitted between two hundred fifty and eight hundred nanometers;
(D) A lamp used for the generation of ozone where the primary purpose is to emit radiation at approximately 185.1 nanometers;
(E) A lamp used for coral zooxanthellae symbiosis from which the radiation power emitted between four hundred and four hundred eighty nanometers represents at least forty per cent of the total radiation power emitted between two hundred fifty and eight hundred nanometers; or

(F) Any lamp used in a sunlamp product. For the purposes of this subparagraph, "sunlamp product" has the same meaning as defined in title 21 Code of Federal Regulations section 1040.20(b)(9);

(3) Used for medical or veterinary diagnosis or treatment or used in a medical device;

(4) Used in pharmaceutical product manufacturing or quality control;

(5) Used for spectroscopy and photometric applications, such as ultraviolet-visible spectroscopy, molecular spectroscopy, atomic absorption spectroscopy, nondispersive infrared, Fourier transform infrared, medical analysis, ellipsometry, layer thickness measurement, process monitoring, or environmental monitoring;

(6) Used by academic and research institutions exclusively for conducting research projects and experiments; or

(7) Used to replace a lamp in previously manufactured motor vehicles."

SECTION 3. This Act shall take effect upon its approval.

(Approved July 5, 2023.)