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(Original Signature of Member)

113TH CONGRESS
2D SESSION

H. R. 5057

To amend the Energy Policy and Conservation Act to permit exemptions for external power supplies from certain efficiency standards, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. GARDNER (for himself and Mr. TONKO) introduced the following bill; which was referred to the Committee on _____

A BILL

To amend the Energy Policy and Conservation Act to permit exemptions for external power supplies from certain efficiency standards, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “EPS Service Parts
5 Act of 2014”.

1 **SEC. 2. EXEMPT SUPPLIES.**

2 Section 325(u) of the Energy Policy and Conserva-
3 tion Act (42 U.S.C. 6295(u)) is amended by adding at
4 the end the following:

5 “(5) EXEMPT SUPPLIES.—

6 “(A) FEBRUARY 10, 2014, RULE.—

7 “(i) IN GENERAL.—An external power
8 supply shall not be subject to the final rule
9 entitled ‘Energy Conservation Program:
10 Energy Conservation Standards for Exter-
11 nal Power Supplies’, published at 79 Fed.
12 Reg. 7845 (February 10, 2014), if the ex-
13 ternal power supply—

14 “(I) is manufactured during the
15 period beginning on February 10,
16 2016, and ending on February 10,
17 2020;

18 “(II) is marked in accordance
19 with the External Power Supply
20 International Efficiency Marking Pro-
21 tocol, as in effect on February 10,
22 2016;

23 “(III) meets, where applicable,
24 the standards under paragraph
25 (3)(A), and has been certified to the
26 Secretary as meeting International

1 Efficiency Level IV or higher of the
2 External Power Supply International
3 Efficiency Marking Protocol, as in ef-
4 fect on February 10, 2016; and

5 “(IV) is made available by the
6 manufacturer as a service part or a
7 spare part for an end-use product
8 that—

9 “(aa) constitutes the pri-
10 mary load; and

11 “(bb) was manufactured be-
12 fore February 10, 2016.

13 “(ii) REPORTING.—The Secretary
14 may require manufacturers of products ex-
15 empted pursuant to clause (i) to report an-
16 nual total units shipped as service and
17 spare parts that are not International Effi-
18 ciency Level VI or higher.

19 “(iii) LIMITATION OF EXEMPTION.—
20 The Secretary may issue a rule, after pro-
21 viding public notice and opportunity for
22 public comment, to limit the applicability
23 of the exemption established under clause
24 (i) if the Secretary determines that the ex-
25 emption is resulting in a significant reduc-

1 tion of the energy savings that would oth-
2 erwise result from the final rule described
3 in such clause.

4 “(B) AMENDED STANDARDS.—

5 “ (i) IN GENERAL.—The Secretary
6 may exempt an external power supply from
7 any amended standard under this sub-
8 section if the external power supply—

9 “ (I) is manufactured within four
10 years of the compliance date of the
11 amended standard;

12 “ (II) complies with applicable
13 marking requirements adopted by the
14 Secretary prior to the amendment;

15 “ (III) meets the standards that
16 were in effect prior to the amendment;
17 and

18 “ (IV) is made available by the
19 manufacturer as a service part or a
20 spare part for an end-use product
21 that—

22 “ (aa) constitutes the pri-
23 mary load; and

1 “(bb) was manufactured be-
2 fore the compliance date of the
3 amended standard.

4 “(ii) REPORTING.—The Secretary
5 may require manufacturers of a product
6 exempted pursuant to clause (i) to report
7 annual total units shipped as service and
8 spare parts that do not meet the amended
9 standard.”.