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(5) ON AND AFTER JANUARY 1, 2026, A PERSON SHALL NOT SELL, OFFER TO SELL, LEASE, OR OFFER TO LEASE ANY OF THE FOLLOWING NEW PRODUCTS IN COLORADO UNLESS THE EFFICIENCY OF THE NEW PRODUCT MEETS OR EXCEEDS THE FOLLOWING EFFICIENCY STANDARDS, AS APPLICABLE:

(g) HIGH CRI, COLD-TEMPERATURE, AND IMPACT-RESISTANT FLUORESCENT LAMPS MUST MEET THE MINIMUM EFFICACY REQUIREMENTS CONTAINED IN 10 CFR 430.32 (n)(4), AS MEASURED IN ACCORDANCE WITH 10 CFR 430, SUBPART B, APPENDIX R, "UNIFORM TEST METHOD FOR MEASURING AVERAGE LAMP EFFICACY (LE), COLOR RENDERING INDEX (CRI), AND CORRELATED COLOR TEMPERATURE (CCT) OF ELECTRIC LAMPS".

PART 14 CLEAN LIGHTING

25-5-1401. Short title. THE SHORT TITLE OF THIS PART 14 IS THE "CLEAN LIGHTING ACT".

25-5-1402. Legislative declaration. (1) THE GENERAL ASSEMBLY FINDS AND DETERMINES THAT:

(a) MERCURY IS A POTENT AND PERSISTENT NEUROTOXIN THAT CAUSES HARM TO HUMAN NERVOUS SYSTEMS, IMMUNE SYSTEMS, AND ORGAN FUNCTION AND IMPAIRS FETAL AND CHILD DEVELOPMENT;

(b) ACCELERATING THE PHASE-OUT OF GENERAL-PURPOSE FLUORESCENT LIGHT BULBS CONTAINING TOXIC MERCURY WILL PROTECT WORKER HEALTH AND PUBLIC HEALTH, INCLUDING DURING THE MANUFACTURE, DISTRIBUTION, USE, COLLECTION, DISPOSAL, AND RECYCLING

OF THE LIGHT BULBS;

(c) FLUORESCENT BULBS HAVE LONG PROVIDED A VALUABLE SERVICE, BUT CLEANER, SAFER ALTERNATIVES HAVE BECOME WIDELY AVAILABLE AND AFFORDABLE;

(d) MERCURY-FREE LED REPLACEMENTS FOR GENERAL-PURPOSE FLUORESCENT BULBS PROVIDE THE SAME OR BETTER LIGHTING SERVICE, LONGER PRODUCT LIFE, AND MUCH LOWER TOTAL COST; AND

(e) ACCORDING TO A STUDY FROM THE APPLIANCE STANDARDS AWARENESS PROJECT, ACCELERATING THE PHASE-OUT OF MOST GENERAL-PURPOSE FLUORESCENT LIGHTING FOR SALE IN COLORADO WILL PREVENT ONE HUNDRED SIXTY-SEVEN POUNDS OF MERCURY AND TWO MILLION ONE HUNDRED THOUSAND METRIC TONS OF CARBON DIOXIDE EMISSIONS FROM ENTERING THE ENVIRONMENT AND LEAD TO FIVE HUNDRED SEVENTY-TWO MILLION DOLLARS IN NET UTILITY BILL SAVINGS FOR COLORADO BUSINESSES AND RESIDENTS.

(2) THE GENERAL ASSEMBLY THEREFORE DECLARES THAT IT IS IN THE PUBLIC INTEREST TO PHASE OUT THE SALE OF GENERAL-PURPOSE FLUORESCENT LIGHT BULBS THAT CONTAIN MERCURY.

(1) "CIECAM02-UCS" MEANS A COLOR APPEARANCE MODEL DESIGNED BY THE INTERNATIONAL COMMISSION ON ILLUMINATION TO ACCURATELY MODEL HUMAN COLOR PERCEPTION THAT USES UNIFORM COLOR SPACE.

(2) (a) "COMPACT FLUORESCENT LAMP" MEANS A COMPACT, LOW-PRESSURE, MERCURY-CONTAINING, ELECTRIC-DISCHARGE LIGHT SOURCE:

(I) IN WHICH A FLUORESCENT COATING TRANSFORMS SOME OF THE ULTRAVIOLET ENERGY GENERATED BY THE MERCURY DISCHARGE INTO VISIBLE LIGHT; AND

(II) THAT:

(A) INCLUDES ONE BASE OR END CAP OF ANY TYPE, INCLUDING SCREW, BAYONET, TWO-PIN, OR FOUR-PIN;

(B) IS INTEGRALLY BALLASTED OR NONINTEGRALLY BALLASTED;

(C) EMITS LIGHT BETWEEN A CORRELATED COLOR TEMPERATURE OF 1700 KELVIN AND 24000 KELVIN AND A DUV OF +0.024 AND -0.024 IN THE CIECAM02-UCS; AND

(D) INCLUDES ONE OR MORE TUBES, WHICH MAY BE OF ANY DIAMETER OR LENGTH.

(b) "COMPACT FLUORESCENT LAMP" INCLUDES LAMPS OF ALL SIZES AND SHAPES FOR DIRECTIONAL AND NONDIRECTIONAL INSTALLATIONS, INCLUDING PLUG-IN, SPIRAL, TWIN TUBE, TRIPLE TWIN, 2D, U-BEND, AND CIRCULAR LAMPS, THAT SATISFY THE DESCRIPTION IN SUBSECTION (2)(a) OF THIS SECTION.

(3) "Duv" MEANS $\Delta(u, 2/3v')$, WHICH IS A METRIC THAT DESCRIBES THE DISTANCE OF A LIGHT COLOR POINT FROM THE PLANCKIAN LOCUS.

(4) "EXECUTIVE DIRECTOR" MEANS THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT OR THE EXECUTIVE DIRECTOR'S DESIGNEE.

(5) (a) "LINEAR FLUORESCENT LAMP" MEANS A LOW-PRESSURE, MERCURY-CONTAINING, ELECTRIC-DISCHARGE LIGHT SOURCE:

(I) IN WHICH A FLUORESCENT COATING TRANSFORMS SOME OF THE ULTRAVIOLET ENERGY GENERATED BY THE MERCURY DISCHARGE INTO VISIBLE LIGHT; AND

(II) THAT:

(A) INCLUDES TWO BASES OR END CAPS OF ANY TYPE, INCLUDING SINGLE-PIN, TWO-PIN, OR RECESSED DOUBLE CONTACT;

(B) EMITS LIGHT BETWEEN A CORRELATED COLOR TEMPERATURE OF 1700 KELVIN AND 24000 KELVIN AND A DUV OF +0.024 AND -0.024 IN THE

CIECAM02-UCS;

(C) INCLUDES ALL TUBE DIAMETERS, INCLUDING T5, T8, T10, AND T12 TUBES; AND

(D) INCLUDES ALL TUBE LENGTHS FROM SIX INCHES TO EIGHT FEET.

(b) "LINEAR FLUORESCENT LAMP" INCLUDES LAMPS OF ALL SHAPES, INCLUDING LINEAR, U-BEND, AND CIRCULAR.

(6) "SUNLAMP PRODUCT" HAS THE MEANING SET FORTH IN 21 CFR 1040.20 (b)(9).

25-5-1404. Scope and applicability. (1) EXCEPT AS DESCRIBED IN SUBSECTION (2) OF THIS SECTION, THIS PART 14 APPLIES TO COMPACT FLUORESCENT LAMPS AND LINEAR FLUORESCENT LAMPS SOLD AS NEW IN COLORADO.

(2) THIS PART 14 DOES NOT APPLY TO:

(a) A LAMP THAT IS DESIGNED AND MARKETED EXCLUSIVELY FOR IMAGE CAPTURE AND PROJECTION, INCLUDING PHOTOCOPYING; PRINTING, EITHER DIRECTLY OR IN PREPROCESSING; LITHOGRAPHY; FILM AND VIDEO PROJECTION; AND HOLOGRAPHY;

(b) A LAMP THAT EMITS ULTRAVIOLET LIGHT AND THAT:

(I) EMITS ULTRAVIOLET LIGHT GREATER THAN TWO MILLIWATTS PER KILOLUMEN (mW/KLM);

(II) IS DESIGNED AND MARKETED EXCLUSIVELY FOR A GERMICIDAL PURPOSE, SUCH AS FOR THE DESTRUCTION OF DNA, WHICH LAMP EMITS A PEAK RADIATION OF APPROXIMATELY TWO HUNDRED FIFTY-THREE AND SEVEN-TENTHS NANOMETERS;

(III) IS DESIGNED AND MARKETED EXCLUSIVELY FOR DISINFECTION OR FLY TRAPPING AND:

(A) FROM WHICH THE TOTAL RADIATION POWER EMITTED BETWEEN TWO HUNDRED AND THREE HUNDRED FIFTEEN NANOMETERS REPRESENTS AT

LEAST FIVE PERCENT OF THE TOTAL RADIATION POWER EMITTED BETWEEN TWO HUNDRED FIFTY AND EIGHT HUNDRED NANOMETERS; OR

(B) FROM WHICH THE TOTAL RADIATION POWER EMITTED BETWEEN THREE HUNDRED FIFTEEN AND FOUR HUNDRED NANOMETERS REPRESENTS AT LEAST TWENTY PERCENT OF THE TOTAL RADIATION POWER EMITTED BETWEEN TWO HUNDRED FIFTY AND EIGHT HUNDRED NANOMETERS;

(IV) IS DESIGNED AND MARKETING EXCLUSIVELY FOR THE GENERATION OF OZONE WHERE THE PRIMARY PURPOSE IS TO EMIT RADIATION AT APPROXIMATELY ONE HUNDRED EIGHTY-FIVE AND ONE-TENTH NANOMETERS;

(V) IS DESIGNED AND MARKETING EXCLUSIVELY FOR CORAL ZOOXANTHELLAE SYMBIOSIS AND FROM WHICH THE RADIATION POWER EMITTED BETWEEN FOUR HUNDRED AND FOUR HUNDRED EIGHTY NANOMETERS REPRESENTS AT LEAST FORTY PERCENT OF THE TOTAL RADIATION POWER EMITTED BETWEEN TWO HUNDRED FIFTY AND EIGHT HUNDRED NANOMETERS;

(VI) IS DESIGNED AND MARKETING EXCLUSIVELY FOR USE IN A SUNLAMP PRODUCT;

(VII) IS DESIGNED AND MARKETING EXCLUSIVELY FOR USE IN A MEDICAL DEVICE FOR MEDICAL OR VETERINARY DIAGNOSIS OR TREATMENT;

(VIII) IS DESIGNED AND MARKETING EXCLUSIVELY FOR USE IN PHARMACEUTICAL PRODUCT MANUFACTURING OR QUALITY CONTROL;

(IX) IS DESIGNED AND MARKETING EXCLUSIVELY FOR SPECTROSCOPY AND PHOTOMETRIC APPLICATIONS, SUCH AS UV-VISIBLE SPECTROSCOPY, MOLECULAR SPECTROSCOPY, ATOMIC ABSORPTION SPECTROSCOPY, NONDISPERSIVE INFRARED, FOURIER TRANSFORM INFRARED, MEDICAL ANALYSIS, ELLIPSOMETRY, LAYER THICKNESS MEASUREMENT, PROCESS MONITORING, OR ENVIRONMENTAL MONITORING; OR

(X) IS USED BY ACADEMIC AND RESEARCH INSTITUTIONS EXCLUSIVELY FOR CONDUCTING RESEARCH PROJECTS AND EXPERIMENTS; OR

(c) A PRODUCT THAT IS HELD IN INVENTORY IN COLORADO ON THE

EFFECTIVE DATE OF THE APPLICABLE STANDARD DESCRIBED IN SECTION 25-5-1405.

25-5-1405. Prohibited lamps. (1) ON AND AFTER JANUARY 1, 2025, A PERSON SHALL NOT MANUFACTURE, DISTRIBUTE, SELL, OR OFFER FOR SALE IN COLORADO ANY:

(a) LINEAR FLUORESCENT LAMP; OR

(b) COMPACT FLUORESCENT LAMP.

25-5-1406. Enforcement - verifications of compliance - civil action by attorney general - penalties. (1) THE EXECUTIVE DIRECTOR SHALL:

(a) VERIFY MAJOR RETAILERS' AND DISTRIBUTORS' COMPLIANCE WITH THE PROVISIONS OF THIS PART 14 THROUGH ONLINE SPOT-CHECKS, COORDINATION WITH OTHER STATES THAT HAVE SIMILAR STANDARDS, OR BOTH;

(b) CONDUCT SUCH VERIFICATIONS AT LEAST ONCE BEFORE JANUARY 1, 2026, AND AGAIN AT LEAST ONCE BEFORE JANUARY 1, 2031;

(c) DELIVER A REPORT ON THE METHOD AND FINDINGS OF THE VERIFICATIONS TO THE ENERGY AND ENVIRONMENT COMMITTEE OF THE HOUSE OF REPRESENTATIVES AND TO THE TRANSPORTATION AND ENERGY COMMITTEE OF THE SENATE, OR TO ANY SUCCESSOR COMMITTEES, AND POST THE REPORT TO THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT'S WEBSITE WITHIN ONE MONTH AFTER ITS COMPLETION; AND

(d) DELIVER ANY FINDINGS OF VIOLATIONS TO THE ATTORNEY GENERAL.

(2) ON OR BEFORE JANUARY 1, 2025, THE EXECUTIVE DIRECTOR SHALL ESTABLISH A PROCESS WHEREBY INDIVIDUALS MAY ANONYMOUSLY REPORT POTENTIAL VIOLATIONS OF THIS PART 14 ON THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT'S PUBLIC WEBSITE. THE EXECUTIVE DIRECTOR SHALL INVESTIGATE ANY REPORTED POTENTIAL VIOLATION AND SHALL REPORT ANY CONFIRMED VIOLATIONS TO THE ATTORNEY GENERAL.

(3)(a) If the attorney general has probable cause to believe that any person or group of persons has violated or caused another person to violate section 25-5-1405, the attorney general may bring a civil action on behalf of the state to seek the imposition of civil penalties as specified in this subsection (3). Any person who violates or causes another person to violate section 25-5-1405 shall pay a civil penalty of not more than five hundred dollars for each violation, which amount shall be transferred to the state treasurer to be credited to the energy fund created in section 24-38.5-102.4.

(b) For purposes of subsection (3)(a) of this section:

(I) Each transaction or online for-sale product listing involved constitutes a separate violation; except that the maximum civil penalty may not exceed five hundred thousand dollars for any related series of violations; and

(II) A court shall not impose a fine against a nonmanagerial employee of a contractor that installs, repairs, or replaces linear or compact fluorescent lamps and collects from the customer an amount representing both parts and labor.