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TESTIMONY

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ON BEHALF OF
THE ASSOCIATION OF HOME APPLIANCE MANUFACTURERS

BEFORE THE RHODE ISLAND GENERAL ASSEMBLY
HOUSE COMMITTEE ON CORPORATIONS

HEARING
HB 7884
AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS—
FEDERAL BACKSTOP LANGUAGE
OPPOSE UNLESS AMENDED

MARCH 17, 2026

Chair Solomon Jr. and members of the Committee, thank you for the opportunity to share the viewpoints of the home appliance industry regarding HB 7884, federal backstop language related to energy or water conservation standards.

AHAM has long advocated for federal standards to ensure consumers continue to have access across the United States from a wide variety of products with the features and performance they desire. As such, AHAM submitted comments opposing DOE's proposed withdrawal of certain current standards. AHAM and our members support a system of federal standards that improve energy and water conservation to ensure a strong, national program. A national program benefits consumers, whereas conflicting state requirements are inefficient and costly. We appreciate that Rhode Island appears to be considering ways to be consistent with other states should federal standards weaken. But the best way to ensure consistency is not through states enacting standards. It is through the federal program already in place which, under the Energy Policy and Conservation Act of 1975, as amended (EPCA), does not permit standards to be weakened or withdrawn once they are in place. This so-called "anti-backsliding" provision in EPCA protects against what Rhode Island appears to be trying to address with this bill and, thus, the bill is not necessary. A federal program best allows manufacturers to sell a full range of products across the nation, including in Rhode Island. In fact, this is the central balance EPCA strikes—improvements in efficiency are more achievable and affordable for consumers on a national scale.

Under the bill, if any of the energy or water conservation standards issued or approved for publication by Department of Energy as of January 19, 2025, pursuant to the Energy Policy and Conservation Act (Parts 430-431 of Title 10 of the Code of Federal Regulations), are withdrawn, repealed, or otherwise voided, the minimum energy or water efficiency level permitted for products previously subject to federal energy or water conservation standards in this state shall be the applicable federal standards as of January 19, 2025, and no such new product may be sold or offered for sale, lease or rent in this state unless it meets or exceeds such standards.

Several other states including Colorado, Hawaii, and New York have—also unnecessarily given EPCA's prohibition on weakening or withdrawing federal standards—enacted a "federal backstop" around appliance standards and the Virginia General Assembly is working on similar legislation. Like Rhode Island, Virginia's legislation references testing and certifications.¹ If this legislation continues to advance, we have several recommended changes to ensure harmonization between states and with existing federal regulatory practices:

1. Date of Manufacture- To align with federal law which defines the compliance date based on the date of manufacture:
39-3.1-1. and no such new product may be sold or offered for sale, lease or rent in this state unless it meets or exceeds such standards for products manufactured after the federal compliance date.

¹ <https://lis.virginia.gov/bill-details/20261/SB256/text/SB256ER>

2. Certification Databases- Room air cleaners, which would not be covered by listed databases, are certified through the AHAM Verifide® program to ensure the product will perform to the manufacturer's product claims for the suggested room size. Adding AHAM Verifide Certification and Verification Program Directories adds to their existing list of recognized databases and is consistent with what they are trying to do. Virginia's legislation lists AHAM Verifide database.

39-3.1-2(b) Manufacturers of new products covered by this chapter shall certify that such products are in compliance with the provisions of this chapter to the Modernized Appliance Efficiency Database System, the State Appliance Standards Database, and the Certified Products Directory, AHAM Verifide Certification and Verification Program Directories or to an approved third-party database

3. Test Methods- When test procedures change, they can change the amount of energy measured. Thus, DOE is careful not to change the tests unless it also changes the standard. In this case, test methods should be adopted and implemented by the federal government.

39-3.1-2(a) Rhode Island energy may adopt updated test methods by regulation when new versions of test methods become available ~~or when an alternative test method~~ has been adopted by ~~another state or~~ the federal government.

4. Preemption- In section 39-3.1-1, this bill states, "This section shall not apply to any federal energy or water conservation standard set aside by a court upon the petition of a person who will be adversely affected, as provided in Section 6306(b) of Title 42 of the United States Code. This language also appears in the bill in Virginia and is accompanied by a second subsection. AHAM proposes that, if this bill is to move forward, Rhode Island should include the same language as Virginia:

"an exemption for any product if federal law preempts the application of this section to such product, including any product or product categories where there is a requirement to develop a standard pursuant to 42 U.S.C. § 6291 et seq. or where there is a standard developed pursuant to 10 C.F.R. Parts 430 and 431 of the federal Energy Policy and Conservation Act of 1975."

Thank you for the opportunity to present this written statement to the hearing record. If this law were to go into effect, this amended bill would help alleviate unnecessary burdens for manufacturers in certification and testing which should help promote affordability for Rhode Island consumers.

AHAM represents manufacturers of major, portable and floor care home appliances, and suppliers to the industry. AHAM's membership includes over 150 companies throughout the world. AHAM members employ tens of thousands of people and produce more than 95% of the household appliances that are shipped for sale within the United States. The home appliance industry, through its products and innovation, is essential to consumer lifestyle, health, safety and convenience. Home appliances also are a success story in terms of energy efficiency and environmental

protection. The purchase of new appliances often represents the most effective choice a consumer can make to reduce home energy use and costs.