

D R A F T

SUMMARY

Imposes new water use limitations on fixtures.
Becomes operative January 1, 2016.

A BILL FOR AN ACT

Relating to plumbing fixtures; creating new provisions; and amending ORS 447.145.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 447.145 is amended to read:

447.145. (1) All new fixtures approved for installation during construction, reconstruction, alteration and repair of buildings and other structures under ORS 447.020 shall comply with rules adopted by the Director of the Department of Consumer and Business Services. The rules shall be consistent with performance requirements and test procedures established by the American National Standards Institute, or other equivalent recognized North American standards and procedures. [*Except for used fixtures allowed under subsection (4) of this section,*] The average amount of water used by new or replacement fixtures under the applicable test procedures shall not exceed:

(a) [*1.6 gallons or 6.06*] **1.3 gallons or 4.92** liters per flush for toilets;

[*(b) 1.0 gallons or 3.785 liters per flush for urinals;*]

(b) 0.5 gallons or 1.89 liters per flush for floor-mounted urinals;

(c) 0.125 gallons or 0.47 liters per flush for wall-mounted urinals;

[*(c)*] **(d) 2.5 gallons or 9.46 liters per minute for shower heads;** [*and*]

[*(d) 2.5 gallons or 9.46 liters per minute for interior faucets.*]

(e) 2.2 gallons or 9.46 liters per minute for interior faucets other

1 **than in lavatories; and**

2 **(f) 1.5 gallons or 5.68 liters per minute for faucets in lavatories.**

3 (2) Notwithstanding subsection (1) of this section, the director by rule
4 shall provide for exemptions to the requirements under subsection (1) of this
5 section if:

6 (a) The reconstruction, alteration or repair of a building does not include
7 the installation of new or replacement toilets or urinals, shower heads or
8 faucets within the building;

9 (b) Due to the capacity, design or installation of the plumbing or sewage
10 system within an existing building, toilets or urinals required by subsection
11 (1) of this section would, if installed in the building, be unable to meet the
12 performance requirements of the American National Standards Institute or
13 other equivalent recognized North American standards as adopted by rule;

14 (c) The fixtures and fittings necessary to perform a specialized function,
15 including but not limited to emergency showers and aspirator faucets, cannot
16 meet the requirements;

17 (d) The installation of fixtures that do not comply with subsection (1) of
18 this section is necessary to maintain the historic character of a structure
19 listed under ORS 358.480 to 358.545; or

20 (e) The fixtures and fittings to be installed are specifically designed to
21 withstand unusual abuse or installation in a penal institution or are located
22 in an area with special needs, such as a laboratory, hospital, nursing home
23 or other health care facility.

24 (3) No person shall sell or offer for sale any new toilet, urinal, shower
25 head or faucet that has not been approved under ORS 447.020.

26 (4) [*On or after December 31, 1995, no person shall*] **A person may not**
27 **sell or offer for sale any used toilet, urinal, shower head or interior faucet**
28 **that does not meet the conservation standards established in subsection (1)**
29 **of this section.**

30 (5) The director shall adopt rules and regulations for marking, labeling
31 or otherwise identifying fixtures that meet the standards of this section.

1 **SECTION 2. The amendments to ORS 447.145 by section 1 of this**
2 **2013 Act become operative January 1, 2016.**

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