

~~RECORDER, OR~~ SINGLE-VOLTAGE EXTERNAL AC TO DC POWER SUPPLY MAY BE SOLD OR OFFERED FOR SALE IN THE STATE UNLESS THE EFFICIENCY OF THE NEW PRODUCT MEETS OR EXCEEDS THE EFFICIENCY STANDARDS SET FORTH IN THE REGULATIONS ADOPTED UNDER SUBSECTION (D) OF THIS SECTION.

(3) (I) THE ADMINISTRATION MAY ADOPT REGULATIONS TO EXEMPT COMPLIANCE WITH THE RESIDENTIAL FURNACE AFUE STANDARDS UNDER SUBSECTION (D)(2)~~(4)~~ (IV) OF THIS SECTION AT ANY BUILDING, SITE, OR LOCATION WHERE COMPLYING WITH THE STANDARDS WOULD CONFLICT WITH ANY LOCAL ZONING ORDINANCE, BUILDING OR PLUMBING CODE, OR OTHER RULE REGARDING INSTALLATION AND VENTING OF RESIDENTIAL FURNACES OR RESIDENTIAL BOILERS.

(II) ON OR BEFORE JANUARY 1, 2008, THE ADMINISTRATION, IN CONSULTATION WITH THE ATTORNEY GENERAL, SHALL DETERMINE IF FEDERAL LAW PREEMPTS STATE IMPLEMENTATION OF THE RESIDENTIAL FURNACE STANDARDS.

(III) THE ADMINISTRATION SHALL MAKE SEPARATE DETERMINATIONS WITH RESPECT TO MINIMUM AFUE AND MAXIMUM ELECTRICITY RATIO STANDARDS.

(IV) IF THE ADMINISTRATION DETERMINES THAT A WAIVER FROM FEDERAL PREEMPTION IS NOT NEEDED, THEN ON THE LATER OF JANUARY 1, 2009, OR 1 YEAR AFTER THE DATE OF THAT DETERMINATION, A NEW RESIDENTIAL FURNACE MAY NOT BE SOLD OR OFFERED FOR SALE IN THE STATE UNLESS THE EFFICIENCY OF THE NEW PRODUCT MEETS OR EXCEEDS THE APPLICABLE NONPREEMPTED EFFICIENCY STANDARDS SET FORTH IN THE REGULATIONS ADOPTED UNDER SUBSECTION (D) OF THIS SECTION.

(V) IF THE ADMINISTRATION DETERMINES THAT A WAIVER FROM FEDERAL PREEMPTION IS REQUIRED, THEN THE ADMINISTRATION SHALL APPLY FOR THE WAIVER WITHIN 1 YEAR AFTER THAT DETERMINATION. ON APPROVAL OF THE WAIVER APPLICATION, THE APPLICABLE STATE STANDARDS SHALL TAKE EFFECT AT THE EARLIEST DATE ALLOWED BY FEDERAL LAW.

(4) SINGLE-VOLTAGE EXTERNAL AC TO DC POWER SUPPLIES MADE AVAILABLE BY A MANUFACTURER DIRECTLY TO A CONSUMER OR TO A SERVICE OR REPAIR FACILITY AFTER AND SEPARATE FROM THE ORIGINAL SALE OF THE PRODUCT REQUIRING THE POWER SUPPLY AS A SERVICE PART OR SPARE PART MAY NOT BE REQUIRED TO MEET THE STANDARDS OF THIS SECTION BEFORE JANUARY 1, 2013.