
A BILL FOR AN ACT

RELATING TO ENERGY EFFICIENCY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 196-6.5, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "§196-6.5 Solar water heater system required for new
4 single-family residential construction. (a) On or after
5 January 1, 2010, no building permit shall be issued for a new
6 single-family dwelling that does not include a solar water
7 heater system that meets the standards established pursuant to
8 section 269-44, unless the [~~chief energy officer of the Hawaii~~
9 ~~state energy office~~] appropriate county planning department
10 approves a variance. A variance application shall only be
11 accepted if submitted by an architect or mechanical engineer
12 licensed under chapter 464, who attests that:

- 13 (1) Installation is impracticable due to poor solar
14 resource;
- 15 (2) Installation is cost-prohibitive based upon a life
16 cycle cost-benefit analysis that incorporates the
17 average residential utility bill and the cost of the

H.B. NO. 2368

1 new solar water heater system with a life cycle that
2 does not exceed fifteen years;

3 (3) A renewable energy technology system, as defined in
4 section 235-12.5, is substituted for use as the
5 primary energy source for heating water; or

6 (4) A demand water heater device approved by Underwriters
7 Laboratories, Inc., is installed; provided that at
8 least one other gas appliance is installed in the
9 dwelling. For the purposes of this paragraph, "demand
10 water heater" means a gas-tankless instantaneous water
11 heater that provides hot water only as it is needed.

12 (b) A request for a variance shall be submitted to the
13 ~~[chief energy officer of the Hawaii state energy office]~~
14 appropriate county planning department on an application
15 prescribed by the ~~[chief energy officer of the Hawaii state~~
16 ~~energy office]~~ county planning department and shall include a
17 description of the location of the property and justification
18 for the approval of a variance using the criteria established in
19 subsection (a). A variance shall be deemed approved if not
20 denied within thirty working days after receipt of the variance
21 application. The ~~[chief energy officer of the Hawaii state~~

H.B. NO. 2368

1 ~~energy office]~~ appropriate county planning department shall
2 publicize:

3 (1) All applications for a variance within seven days
4 after receipt of the variance application; and

5 (2) The disposition of all applications for a variance
6 within seven days of the determination of the variance
7 application.

8 (c) The director of [~~business, economic development, and~~
9 ~~tourism]~~ the appropriate county planning department may [~~adopt~~
10 ~~rules pursuant to chapter 91 to]~~ impose and collect fees to
11 cover the costs of administering variances under this section.
12 The fees, if any, shall be deposited into the [~~energy security~~
13 ~~special fund established under section 201-12.8.~~] appropriate
14 county planning department operating fund.

15 (d) Nothing in this section shall preclude any county from
16 establishing procedures and standards required to implement this
17 section.

18 (e) Nothing in this section shall preclude participation
19 in any utility demand-side management program or public benefits
20 fee program under part VII of chapter 269."

H.B. NO. 2368

1 SECTION 2. Statutory material to be repealed is
2 bracketed and stricken. New statutory material is
3 underscored.

4 SECTION 3. This Act, upon its approval, shall take effect
5 on July 1, 2025.

6

7

INTRODUCED BY: _____

Ran

8

BY REQUEST

JAN 22 2024

H.B. NO. 2368

Report Title:

Solar Energy Devices; Water Heating; Residential; Counties

Description:

Allows the department of planning for each county to approve a variance for the installation of solar water heater systems. Authorizes the department of planning for each county to impose and collect fees for the administration of the solar water heater system variances.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

JUSTIFICATION SHEET

DEPARTMENT: Business, Economic Development and Tourism
(Hawaii State Energy Office)

TITLE: A BILL FOR AN ACT RELATING TO ENERGY
EFFICIENCY.

PURPOSE: To transfer responsibility of approving solar water heater variances to the counties; allow the department of planning for each county to approve a variance for the installation of solar water heater systems; and authorize the department of planning for each county to impose and collect fees for the administration of the solar water heater system variances.

MEANS: Amend section 196-6.5, Hawaii Revised Statutes (HRS).

JUSTIFICATION: Transferring the responsibility of approving solar water heater variances to the county departments of planning is a pragmatic and logical step that can improve efficiency, consistency, expertise, and overall regulatory effectiveness while ensuring that safety and building code standards are upheld. This approach can benefit both the government and the community by streamlining processes and promoting accountability.

Impact on the public: This bill will improve efficiency for processing building permits.

Impact on the department and other agencies: The bill will add an additional responsibility to the county planning departments.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM DESIGNATION: N/A.

OTHER AFFECTED

AGENCIES:

County planning departments.

EFFECTIVE DATE:

July 1, 2025.