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# A BILL FOR AN ACT

RELATING TO THE DEPARTMENT OF TRANSPORTATION.

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

1 PART I.

2 SECTION 1. Hawaii is home to two of the world's premier  
3 astronomy observatories, Haleakala on Maui and Mauna Kea on  
4 Hawaii. Mauna Kea is considered the finest observing site in  
5 the world. One of the most critical needs for preserving the  
6 value of these sites is to reduce bright sources of light that  
7 penetrate the dark night sky. Recent nighttime images from the  
8 international space station revealed that some of the brightest  
9 sources of light on Maui and Hawaii are the airports and harbors  
10 on both islands. Astronomers on Mauna Kea are now detecting  
11 artificial light sources from urban areas that are diminishing  
12 the telescopes' ability to do research.

13 The purpose of the Act is to require the department of  
14 transportation, to the extent that it is practical, to comply  
15 with county ordinances and standards relating to outside  
16 lighting for all new installations at airports, harbors, and  
17 highways; provided that the compliance with county ordinances



1 and standards do not conflict with any safety regulation or  
2 federal law, regulation, or mandate.

3 SECTION 2. Chapter 262, Hawaii Revised Statutes, is  
4 amended by adding a new section to be appropriately designated  
5 and to read as follows:

6 "§262- Outdoor lighting. To the extent that is  
7 practical and not in conflict with any safety regulation or  
8 federal law, regulation, or mandate, if any airport rule or  
9 standard relating to outdoor lighting on any ramp or apron area,  
10 roadway, or parking lot conflicts with any county ordinance or  
11 other rule regarding outdoor lighting, the more stringent  
12 requirement or standard shall govern all new installations of  
13 outdoor lighting."

14 SECTION 3. Chapter 264, Hawaii Revised Statutes, is  
15 amended by adding a new section to part III to be appropriately  
16 designated and to read as follows:

17 "§264- Highway lighting. To the extent that is  
18 practical and not in conflict with any safety regulation or  
19 federal law, regulation, or mandate, if any highway rule or  
20 standard relating to highway lighting conflicts with any county  
21 ordinance or other rule regarding highway lighting, the more



1 stringent requirement or standard shall govern all new  
2 installations of highway lighting."

3 SECTION 4. Chapter 266, Hawaii Revised Statutes, is  
4 amended by adding a new section to part I to be appropriately  
5 designated and to read as follows:

6 "§266- Outdoor lighting. To the extent that is  
7 practical and not in conflict with any safety regulation or  
8 federal law, regulation, or mandate, if any harbor rule or  
9 standard relating to outdoor lighting at any harbor facility  
10 conflicts with any county ordinance or other rule regarding  
11 outdoor lighting, the more stringent requirement or standard  
12 shall govern all new installations of outdoor lighting."

13 PART II.

14 SECTION 5. The legislature finds that Hawaii's dependence  
15 on petroleum for about ninety per cent of its energy needs is  
16 more than any other state in the nation. This makes the State  
17 extremely vulnerable to any oil embargo, supply disruption,  
18 international market dysfunction, and many other factors beyond  
19 the control of the State. The use of biofuels would counteract  
20 the deleterious effects of a sudden shortage of petroleum fuels.  
21 The intent of this part is for the State to store enough  
22 biofuels to be used for the generation of power or heat. The



1 legislature considers biofuel storage and transmission to be the  
2 beginning of the process of weaning the State from dependence on  
3 imported oil.

4 The purpose of this part is to require the department of  
5 transportation to include biofuel storage and transmission  
6 infrastructure in all harbor improvement master plans.

7 SECTION 6. Chapter 266, Hawaii Revised Statutes, is  
8 amended by adding a new section to be appropriately designated  
9 and to read as follows:

10 "§266- Biofuel storage and transmission infrastructure.

11 The department of transportation shall include biofuel storage  
12 and transmission infrastructure in all harbor improvement master  
13 plans. The activities relating to the storage of biofuels and  
14 biofuel feedstock, byproducts, denaturant, and transmission  
15 infrastructure shall be considered "maritime related" as defined  
16 in section 171-59 and shall constitute a permitted use on state  
17 harbor lands. Notwithstanding any law to the contrary, the  
18 production or manufacture of biofuels shall be prohibited on  
19 state harbor lands.

20 For purposes of this section, "biofuel" means fuel from  
21 non-petroleum plant or animal based sources that can be used for  
22 the generation of power or heat."





**Report Title:**

Transportation; Outdoor Lighting; Biofuel Storage

**Description:**

Requires the department of transportation, to the extent practicable, to comply with county outdoor lighting ordinances that are more stringent than other laws and regulations at airports, harbors, and highways. Requires the department of transportation to include biofuel storage and transmission structures in all harbor improvement master plans. (SD2)

