THE SENATE TWENTY-FIFTH LEGISLATURE, 2009 STATE OF HAWAII

S.B. NO. 1037

JAN 26 2009

A BILL FOR AN ACT

RELATING TO TRANSPORTATION ENERGY INITIATIVES.

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

1 SECTION 1. The legislature finds that Hawaii must take 2 bold steps towards reducing its dependence on imported fossil 3 fuels. Hawaii imports ninety-five per cent of its energy, most 4 of which comes from petroleum and coal. Specifically, eighty-5 nine per cent of Hawaii's energy is derived from petroleum and 6 six per cent is derived from coal. Of all energy consumed in 7 the State, about forty per cent is used for transportation 8 purposes, compared with residential use of eight per cent, 9 commercial use of ten per cent, electric power generation at 10 twenty-five per cent, and industrial uses at sixteen per cent.

It is therefore essential that our State aggressively promote and develop alternatives to fossil fuel modes of transportation. Alternative fuel and electric vehicles are a viable solution. The electrification of transportation creates jobs, fosters economic growth, reduces greenhouse gas emissions, and stems the effects of climate change in Hawaii.



1 Developing an electric vehicle infrastructure is a first 2 and essential step towards the transformation of transportation 3 in Hawaii. With developing technology, and a push by national 4 and international automakers to expedite the production and 5 supply of electric vehicles, Hawaii must be ready to embrace a 6 new generation of highway transportation. 7 The purpose of this Act is to provide sufficient tools to develop electric vehicle infrastructure in Hawaii. As a first 8 9 step, this Act requires government agencies to lead the way in 10 the electrification of transportation in the State, providing an 11 aggressive but realistic timetable to replace vehicles using 12 fossil fuel with electric and vehicles using alternative fuels. 13 PART I 14 PLANNING AND POLICY PRIORITIES SECTION 2. Section 226-10, Hawaii Revised Statutes, is 15 16 amended by amending subsection (b) to read as follows: 17 To achieve the potential growth activity objective, "(b) it shall be the policy of this State to: 18 19 (1) Facilitate investment and employment in economic activities that have the potential for growth such as 20 21 diversified agriculture, aquaculture, apparel and



3

1		textile manufacturing, film and television production,
2		and energy and marine-related industries.
3	(2)	Expand Hawaii's capacity to attract and service
4		international programs and activities that generate
5		employment for Hawaii's people.
6	(3)	Enhance and promote Hawaii's role as a center for
7		international relations, trade, finance, services,
8		technology, education, culture, and the arts.
9	(4)	Accelerate research and development of new energy-
10		related industries based on wind, solar, ocean, and
11		underground resources and solid waste.
12	(5)	Promote Hawaii's geographic, environmental, social,
13		and technological advantages to attract new economic
14		activities into the State.
15	(6)	Provide public incentives and encourage private
16		initiative to attract new industries that best support
17		Hawaii's social, economic, physical, and environmental
18		objectives.
19	(7)	Increase research and the development of ocean-related
20		economic activities such as mining, food production,
21		and scientific research.



Page 3

1	(8)	Develop, promote, and support research and educational
2		and training programs that will enhance Hawaii's
3		ability to attract and develop economic activities of
4		benefit to Hawaii.
5	(9)	Foster a broader public recognition and understanding
6		of the potential benefits of new, growth-oriented
7		industry in Hawaii.
8	(10)	Encourage the development and implementation of joint
9		federal and state initiatives to attract federal
10		programs and projects that will support Hawaii's
11		social, economic, physical, and environmental
12		objectives.
13	(11)	Increase research and development of businesses and
14		services in the telecommunications and information
15		industries.
16	(12)	Foster the research and development of nonfossil fuel
17		and energy efficient modes of transportation."
18	SECT	ION 3. Section 226-18, Hawaii Revised Statutes, is
19	amended t	o read as follows:
20	"§22	6-18 Objectives and policies for facility systems
21	energy.	(a) Planning for the State's facility systems with



5

1	regard to	energy shall be directed toward the achievement of the		
2	following objectives, giving due consideration to all:			
3	(1)	Dependable, efficient, and economical statewide energy		
4		systems capable of supporting the needs of the people;		
5	(2)	Increased energy self-sufficiency where the ratio of		
6		indigenous to imported energy use is increased;		
7	(3)	Greater energy security and diversification in the		
8		face of threats to Hawaii's energy supplies and		
9		systems; and		
10	(4)	Reduction, avoidance, or sequestration of greenhouse		
11		gas emissions from energy supply and use.		
12	(b)	To achieve the energy objectives, it shall be the		
13	policy of	this State to ensure the short-term and long-term		
14	provision	of adequate, reasonably priced, and dependable energy		
15	services	to accommodate demand.		
16	(c)	To further achieve the energy objectives, it shall be		
17	the polic	y of this State to:		
18	(1)	Support research and development as well as promote		
19		the use of renewable energy sources;		
20	(2)	Ensure that the combination of energy supplies and		
21		energy-saving systems is sufficient to support the		
22		demands of growth;		
.e.	2009-0610	SB SMA.doc		



2009-0610 SB SMA.doc

1	(3)	Base decisions of least-cost supply-side and demand-			
2		side energy resource options on a comparison of their			
3		total costs and benefits when a least-cost is			
4		determined by a reasonably comprehensive,			
5		quantitative, and qualitative accounting of their			
6		long-term, direct and indirect economic,			
7		environmental, social, cultural, and public health			
8		costs and benefits;			
9	(4)	Promote all cost-effective conservation of power and			
10		fuel supplies through measures, including:			
11		(A) Development of cost-effective demand-side			
12		management programs;			
13		(B) Education; and			
14		(C) Adoption of energy-efficient practices and			
15		technologies;			
16	(5)	Ensure, to the extent that new supply-side resources			
17		are needed, that the development or expansion of			
18		energy systems uses the least-cost energy supply			
19		option and maximizes efficient technologies;			
20	(6)	Support research, development, [and] demonstration,			
21		and utilization of energy efficiency, load management,			



S.B. NO. 1037

1		and other demand-side management programs, practices,	
2		and technologies;	
3	(7)	Promote alternate fuels and <u>transportation</u> energy	
4		efficiency [by encouraging diversification of	
5		transportation modes and infrastructure];	
6	(8)	Support actions that reduce, avoid, or sequester	
7		greenhouse gases in utility, transportation, and	
8		industrial sector applications;	
9	(9)	Support actions that reduce, avoid, or sequester	
10		Hawaii's greenhouse gas emissions through agriculture	
11		and forestry initiatives; and	
12	(10)	Provide priority handling and processing for all state	
13		and county permits required for renewable energy	
14		projects."	
15		PART II	
16		BUSINESS INCENTIVES AND REQUIREMENTS	
17	SECT	ION 4. Chapter 196, Hawaii Revised Statutes, is	
18	amended b	y adding a new section to be appropriately designated	
19	and to read as follows:		
20	" <u>§1</u> 9	6- Designation of parking spaces for electric	
21	vehicles;	charging units. All public and government parking	
22	lots avai	lable for use by the general public with at least fifty	
	2009-0610	SB SMA.doc ,	

1	parking spaces shall designate at least one parking space for			
2	each fifty spaces exclusively for electric vehicles; provided			
3	that the parking space for electric vehicles is located near the			
4	building entrance and is equipped with an electric vehicle			
5	charging unit. Those spaces shall be designated, clearly			
6	marked, and enforced by December 31, 2010.			
7	For the purposes of this section, "electric vehicle" means			
8	an electric vehicle or neighborhood electric vehicle with an			
9	electric vehicle license plate."			
10	SECTION 5. Chapter 235, Hawaii Revised Statutes, is			
11	amended by adding two new sections to be appropriately			
12	designated and to read as follows:			
13	" <u>§235-</u> Electric vehicle charging infrastructure; income			
13 14	" <u>§235-</u> Electric vehicle charging infrastructure; income tax credit. (a) Each individual or corporate taxpayer that			
14	tax credit. (a) Each individual or corporate taxpayer that			
14 15	tax credit. (a) Each individual or corporate taxpayer that files an individual or corporate net income tax return for a			
14 15 16	tax credit. (a) Each individual or corporate taxpayer that files an individual or corporate net income tax return for a taxable year may claim a tax credit under this section against			
14 15 16 17	tax credit. (a) Each individual or corporate taxpayer that files an individual or corporate net income tax return for a taxable year may claim a tax credit under this section against the Hawaii state individual or corporate net income tax. The			
14 15 16 17 18	tax credit. (a) Each individual or corporate taxpayer that files an individual or corporate net income tax return for a taxable year may claim a tax credit under this section against the Hawaii state individual or corporate net income tax. The tax credit may be claimed for code compliant electric vehicle			
14 15 16 17 18 19	tax credit. (a) Each individual or corporate taxpayer that files an individual or corporate net income tax return for a taxable year may claim a tax credit under this section against the Hawaii state individual or corporate net income tax. The tax credit may be claimed for code compliant electric vehicle charging infrastructure installed and placed in service in the			
14 15 16 17 18 19 20	tax credit. (a) Each individual or corporate taxpayer that files an individual or corporate net income tax return for a taxable year may claim a tax credit under this section against the Hawaii state individual or corporate net income tax. The tax credit may be claimed for code compliant electric vehicle charging infrastructure installed and placed in service in the State after January 1, 2010, and prior to the close of the			

1	credit will be allowed for purchase and installation of electric		
2	vehicle charging infrastructure. The allowable credit shall be		
3	up to seventy per cent of the installed cost of the electric		
4	vehicle charging system or \$1,000 per electric vehicle charge		
5	point of the system, whichever is less.		
6	(b) For the purposes of this section:		
7	"Actual cost" means costs related to the electric vehicle		
8	charging system under subsection (a), including accessories and		
9	installation, but not including the cost of consumer incentive		
10	premiums unrelated to the operation of the system or offered		
11	with the sale of the system and costs for which another credit		
12	is claimed under this chapter.		
12 13	is claimed under this chapter. "Electric vehicle charge point" means the part of the		
13	"Electric vehicle charge point" means the part of the		
13 14	"Electric vehicle charge point" means the part of the electric vehicle charging system that delivers electricity from		
13 14 15	"Electric vehicle charge point" means the part of the electric vehicle charging system that delivers electricity from a source outside an electric vehicle into one electric vehicle.		
13 14 15 16	"Electric vehicle charge point" means the part of the electric vehicle charging system that delivers electricity from a source outside an electric vehicle into one electric vehicle. "Electric vehicle charging system" means a system that is		
13 14 15 16 17	"Electric vehicle charge point" means the part of the electric vehicle charging system that delivers electricity from a source outside an electric vehicle into one electric vehicle. "Electric vehicle charging system" means a system that is designed in compliance with Article 625 of the National		
13 14 15 16 17 18	"Electric vehicle charge point" means the part of the electric vehicle charging system that delivers electricity from a source outside an electric vehicle into one electric vehicle. "Electric vehicle charging system" means a system that is designed in compliance with Article 625 of the National Electrical Code and delivers electricity from a source outside		
 13 14 15 16 17 18 19 	"Electric vehicle charge point" means the part of the electric vehicle charging system that delivers electricity from a source outside an electric vehicle into one electric vehicle. "Electric vehicle charging system" means a system that is designed in compliance with Article 625 of the National Electrical Code and delivers electricity from a source outside an electric vehicle into one or more electric vehicles. An		



S.B. NO. 1037

1	(c) If the tax credit under this section exceeds the
2	taxpayer's income tax liability, the excess of the credit over
3	liability may be used as a credit against the taxpayer's income
4	tax liability in subsequent years until exhausted.
5	(d) The income and corporate tax credits allowable under
6	subsection (a) shall not exceed \$ in the aggregate for
7	all taxpayers in any taxable year. The department shall allow
8	taxpayers to claim the tax credits allowable under subsection
9	(a) on a first come, first served basis; provided that the
10	aggregate credits claimed by all taxpayers in any taxable year
11	do not exceed the amount designated in this paragraph.
12	(e) Claims for the tax credit under this section,
13	including any amended claims, shall be filed on or before the
14	end of the twelfth month following the taxable year for which
15	the credit may be claimed.
16	(f) The director of taxation shall prepare any forms that
17	may be necessary to claim a tax credit under this section. The
18	director may also require the taxpayer to furnish reasonable
19	information to ascertain the validity of the claim for credit
20	made under this section and may adopt rules necessary to
21	effectuate the purposes of this section pursuant to chapter 91.



S.B. NO. 1037

1	(g) The director of taxation shall provide an annual
2	report to the legislature on the amount of income and corporate
3	tax credits claimed under subsection (a).
4	<u>§235-</u> Alternative fuel refueling infrastructure; income
5	tax credit. (a) Each individual or corporate taxpayer that
6	files a corporate net income tax return for a taxable year may
7	claim a tax credit under this section against the Hawaii state
8	corporate net income tax. The tax credit may be claimed for
9	alternative fuel refueling infrastructure installed and placed
10	in service during the taxable year. The tax credit may be
11	claimed as follows: For taxable years ending before January 1,
12	2016, an income tax credit will be allowed for the purchase and
13	installation of alternative fuel refueling infrastructure. The
14	allowable credit shall be up to thirty per cent of the installed
15	cost of the alternative fuel refueling infrastructure or
16	\$25,000, whichever is less.
17	(b) For the purposes of this section:
18	"Actual cost" means costs related to the alternative fuel
19	refueling infrastructure under subsection (a), including
20	accessories and installation, but not including costs for which
21	another credit is claimed under this chapter.



S.B. NO. **/037**

1	"Alternative fuel refueling infrastructure" means equipment			
2	for the storage and dispensing of alternative fuels for the			
3	refueling of alternative fuel vehicles, as further described and			
4	defined in section 30C (with respect to alternative fuel vehicle			
5	refueling property credit) of the Internal Revenue Code.			
6	(c) If the tax credit under this section exceeds the			
7	taxpayer's income tax liability, the excess of the credit over			
8	liability may be used as a credit against the taxpayer's income			
9	tax liability in subsequent years until exhausted.			
10	(d) The income and corporate tax credits allowable under			
11	subsection (a) shall not exceed \$ in the aggregate for			
12	all taxpayers in any taxable year. The department shall allow			
13	taxpayers to claim the tax credits allowable under subsection			
14	(a) on a first come, first served basis; provided that the			
15	aggregate credits claimed by all taxpayers in any taxable year			
16	do not exceed the amount designated in this paragraph.			
17	(e) Claims for the tax credit under this section,			
18	including any amended claims, shall be filed on or before the			
19	end of the twelfth month following the taxable year for which			
20	the credit may be claimed.			
21	(f) The director of taxation shall prepare any forms that			
22	may be necessary to claim a tax credit under this section. The			
	2009-0610 SB SMA.doc 32			

1	director may also require the taxpayer to furnish reasonable
2	information to ascertain the validity of the claim for credit
3	made under this section and may adopt rules necessary to
4	effectuate the purposes of this section pursuant to chapter 91.
5	(g) The director of taxation shall provide an annual
6	report to the legislature on the amount of income and corporate
7	tax credits claimed under subsection (a)."
8	SECTION 6. Chapter 291, Hawaii Revised Statutes, is
9	amended by adding a new section to be appropriately designated
10	and to read as follows:
11	" <u>§291-</u> Parking spaces reserved for electric vehicles;
12	penalties. (a) Beginning January 1, 2011, any person who parks
13	a non-electric vehicle in a space designated and marked as
13 14	a non-electric vehicle in a space designated and marked as reserved for electric vehicles shall receive a warning.
14	reserved for electric vehicles shall receive a warning.
14 15	reserved for electric vehicles shall receive a warning. (b) Beginning July 1, 2011, any person who parks a non-
14 15 16	reserved for electric vehicles shall receive a warning. (b) Beginning July 1, 2011, any person who parks a non- electric vehicle in a space designated and marked as reserved
14 15 16 17	reserved for electric vehicles shall receive a warning. (b) Beginning July 1, 2011, any person who parks a non- electric vehicle in a space designated and marked as reserved for electric vehicles shall be guilty of a traffic infraction
14 15 16 17 18	reserved for electric vehicles shall receive a warning. (b) Beginning July 1, 2011, any person who parks a non- electric vehicle in a space designated and marked as reserved for electric vehicles shall be guilty of a traffic infraction under chapter 291D and shall be fined not less than \$50 nor more
14 15 16 17 18 19	reserved for electric vehicles shall receive a warning. (b) Beginning July 1, 2011, any person who parks a non- electric vehicle in a space designated and marked as reserved for electric vehicles shall be guilty of a traffic infraction under chapter 291D and shall be fined not less than \$50 nor more than \$100 and shall pay any costs incurred by the court related



S.B. NO. /037

14

1 SECTION 7. Section 269-1, Hawaii Revised Statutes, is 2 amended by amending the definition of "public utility" to read 3 as follows: 4 ""Public utility": 5 Includes every person who may own, control, operate, (1)6 or manage as owner, lessee, trustee, receiver, or 7 otherwise, whether under a franchise, charter, 8 license, articles of association, or otherwise, any 9 plant or equipment, or any part thereof, directly or 10 indirectly for public use, for the transportation of 11 passengers or freight, or the conveyance or 12 transmission of telecommunications messages, or the 13 furnishing of facilities for the transmission of 14 intelligence by electricity by land or water or air 15 within the State, or between points within the State, 16 or for the production, conveyance, transmission, 17 delivery, or furnishing of light, power, heat, cold, 18 water, gas, or oil, or for the storage or warehousing 19 of goods, or the disposal of sewage; provided that the 20 term shall include:



S.B. NO. 1037

1		(A)	Any person insofar as that person owns or
2			operates a private sewer company or sewer
3			facility; and
4		(B)	Any telecommunications carrier or
5			telecommunications common carrier;
6	(2)	Shall	l not include:
7		(A)	Any person insofar as that person owns or
8			operates an aerial transportation enterprise;
9		(B)	Persons owning or operating taxicabs, as defined
10			in this section;
11		(C)	Common carriers transporting only freight on the
12			public highways, unless operating within
13			localities or along routes or between points that
14			the public utilities commission finds to be
15			inadequately serviced without regulation under
16			this chapter;
17		(D)	Persons engaged in the business of warehousing or
18			storage unless the commission finds that
19			regulation thereof is necessary in the public
20			interest;
21		(E)	The business of any carrier by water to the
22			extent that the carrier enters into private



1		cont	racts for towage, salvage, hauling, or
2		carr	iage between points within the State and the
3		carr	iage is not pursuant to either an established
4		sche	dule or an undertaking to perform carriage
5		serv	ices on behalf of the public generally;
6	(F)	The 1	business of any carrier by water,
7		subs	tantially engaged in interstate or foreign
8		comm	erce, transporting passengers on luxury
9		crui	ses between points within the State or on
10		luxu	ry round-trip cruises returning to the point
11		of d	eparture;
12	(G)	Any j	person who:
13		(i)	Controls, operates, or manages plants or
14			facilities for the production, transmission,
15			or furnishing of power primarily or entirely
16			from non-fossil fuel sources; [and]
17		(ii)	Provides, sells, or transmits all of that
18			power, except [such] power as is used in its
19			own internal operations, directly to a
20			public utility for transmission to the
21			public; and



1	(:	iii) Any person or business who owns, controls,
2		operates, or manages plants or facilities
3		primarily used to charge or discharge a
4		vehicle battery, the purpose of which is to
5		provide the power for vehicle propulsion;
6	(H)	A telecommunications provider only to the extent
7		determined by the commission pursuant to section
8		269-16.9;
9	(I)	Any person who controls, operates, or manages
10		plants or facilities developed pursuant to
11		chapter 167 for conveying, distributing, and
12		transmitting water for irrigation and [such]
13		other purposes that shall be held for public use
14		and purpose;
15	(J)	Any person who owns, controls, operates, or
16		manages plants or facilities for the reclamation
17		of wastewater; provided that:
18		(i) The services of the facility shall be
19		provided pursuant to a service contract
20		between the person and a state or county
21		agency and at least ten per cent of the
22		wastewater processed is used directly by the



S.B. NO. 1037

1		State or county [which] <u>that</u> has entered
2		into the service contract;
3	(ii)	The primary function of the facility shall
4		be the processing of secondary treated
5		wastewater that has been produced by a
6		municipal wastewater treatment facility that
7		is owned by a state or county agency;
8	(iii)	The facility shall not make sales of water
9		to residential customers;
10	(iv)	The facility may distribute and sell
11		recycled or reclaimed water to entities not
12		covered by a state or county service
13		contract; provided that, in the absence of
14		regulatory oversight and direct competition,
15		the distribution and sale of recycled or
16		reclaimed water shall be voluntary and its
17		pricing fair and reasonable. For purposes
18		of this subparagraph, "recycled water" and
19		"reclaimed water" mean treated wastewater
20		that by design is intended or used for a
21		beneficial purpose; and



1	(v) The facility shall not be engaged, either		
2	directly or indirectly, in the processing of		
3	food wastes; and		
4	(K) Any person who owns, controls, operates, or		
5	manages any seawater air conditioning district		
6	cooling project; provided that at least fifty per		
7	cent of the energy required for the seawater air		
8	conditioning district cooling system is provided		
9	by a renewable energy resource, such as cold,		
10	deep seawater.		
11	If the application of this chapter is ordered by the		
12	commission in any case provided in paragraphs (2)(C), (2)(D),		
13	(2)(H), and (2)(I), the business of any public utility that		
14	presents evidence of bona fide operation on the date of the		
15	commencement of the proceedings resulting in the order shall be		
16	presumed to be necessary to public convenience and necessity,		
17	but any certificate issued under this proviso shall nevertheless		
18	be subject to [such] terms and conditions as the commission may		
19	prescribe, as provided in sections 269-16.9 and 269-20."		
20	PART III		
21	GOVERNMENT AGENCY REQUIREMENTS		



S.B. NO. 1037

1	SECTION 8. Section 103D-412, Hawaii Revised Statutes, is				
2	amended to read as follows:				
3	"§103D-412 [Energy-efficient vehicles.] Light-duty vehicle				
4	requirements. (a) The procurement policy for all agencies				
5	purchasing or leasing [motor] <u>light duty</u> vehicles shall be to				
6	[obtain energy efficient vehicles. All covered fleets are				
7	directed to procure increasing percentages of energy efficient				
8	vehicles as part of their annual vehicle acquisition plans,				
9	which shall be as follows:				
10	(1) In the fiscal year beginning July 1, 2006, at least				
11	twenty per-cent of newly purchased light duty vehicles				
12	acquired by each covered fleet shall be energy-				
13	efficient vehicles;				
14	(2) In the fiscal year beginning July 1, 2007, at least				
15	thirty per cent of newly purchased light duty vehicles				
16	acquired by each covered fleet shall be energy-				
17	efficient vehicles;				
18	(3) In the fiscal year beginning July 1, 2008, at least				
19	forty per cent of newly purchased light duty vehicles				
20	acquired by each covered fleet shall be energy				
21	efficient-vehicles; and				



S.B. NO. 1037

1	(4)	For each subsequent fiscal year, the percentage of			
2		energy efficient vehicles newly purchased shall be			
3		five percentage points higher than the previous year,			
4		until-at-least seventy-five per cent of each covered			
5		fleet's newly purchased, light duty vehicles are			
6		energy-efficient-vehicles.]			
7	reduce de	pendence on petroleum for transportation energy.			
8	Begi	nning January 1, 2010, when purchasing new vehicles,			
9	all State	and county agencies shall seek vehicles with reduced			
10	dependence on petroleum-based fuels, in the following descending				
11	order of priority:				
12	(1)	The agency shall first evaluate any available electric			
13		or plug-in hybrid electric vehicle and, if it meets			
14		the needs of the agency, the vehicle shall be			
15		selected.			
16	(2)	If an electric or plug-in hybrid electric vehicle that			
17		meets the needs of the agency is not available, the			
18		agency may select a hydrogen or fuel cell vehicle.			
19	(3)	If a hydrogen or fuel cell vehicle that meets the			
20		needs of the agency is not available, the agency may			
21		select a flexible fuel vehicle.			



S.B. NO. 1037

1	(4)	If a flexible fuel vehicle that meets the needs of the		
2		agency is not available, the agency may select a		
3		hybrid electric vehicle.		
4	(5)	If a hybrid electric vehicle that meets the needs of		
5		the agency is not available, the agency shall select a		
6		vehicle that is identified by the United States		
7		Environmental Protection Agency in its annual Fuel		
8		Economy Leaders report as being among the top		
9		performers for fuel economy in its class.		
10	(b)	For the purposes of this section:		
11	"Age	ncy" means a state agency, office, or department.		
12	"Alternative fuel" [has the same meaning as contained in 10			
13	Code of Federal Regulations Part 490] means alcohol fuels;			
14	mixtures containing eighty-five per cent or more by volume of			
15	alcohols with gasoline or other fuels; natural gas; liquefied			
16	petroleum gas; hydrogen; biodiesel; mixtures containing twenty			
17	<u>per cent</u>	or more by volume of biodiesel with diesel or other		
18	fuels; ot	her fuels derived from biological materials; and		
19	<u>electrici</u>	ty provided by off-board energy sources.		
20	"Covered fleet" has the same meaning as contained in 10			
21	Code of Federal Regulations Part 490 Subpart C.			
22	["En	ergy efficient-vehicle means a vehicle that:		



S.B. NO. 1037

1	(1) -	Is-capable of using an alternative fuel;
_		
2	(2)	Is powered primarily through the use of an electric
3		battery or battery pack that stores energy produced by
4		an-electric motor through regenerative braking to
5		assist in vehicle operation;
6	- (3) -	Is propelled by power derived from one or more cells
7		converting chemical energy directly into electricity
8		by combining oxygen with hydrogen fuel that is stored
9		on board the vehicle in any form;
10	(4)	Draws propulsion energy from onboard sources of stored
11		energy generated from an internal combustion or heat
12		engine using combustible fuel and a rechargeable
13		energy_storage_system; or
14	(5)	Is on the list of "Most Energy Efficient Vehicles" in
15		its class or is in the top one fifth of the most
16		energy efficient vehicles in its class available in
17		Hawaii as shown by vehicle fuel efficiency lists,
18		rankings, or reports maintained by the United States
19		Environmental Protection Agency.]
20	"Exc	luded vehicles" has the same meaning as provided in 10
21	Code of F	ederal Regulations Section 490.3.



S.B. NO. 1037

1	"Light-duty vehicle" has the same meaning as contained in
2	10 Code of Federal Regulations Part 490.
3	[(c) Agencies may offset energy efficient vehicle purchase
4	requirements by successfully demonstrating percentage
5	improvements in overall light duty vehicle fleet mileage
6	economy. The offsets shall be measured against the fleet
7	average miles per gallon of petroleum-based gasoline and diesel
8	fuel, using the fiscal year beginning July 1, 2006, as a
9	baseline, on a percentage by percentage basis.
10	(d) Agencies that use biodiesel fuel may offset the
11	vehicle purchase requirements of this section at the rate of one
12	vchicle for each four hundred fifty gallons of neat biodiesel
13	fuel used. Neat biodiesel fuel-is one hundred per-cent
14	biodiesel (B100) by volume.
15	(e)] (c) Agencies may apply to the chief procurement
16	officer for exemptions from the requirements of this section to
17	the extent that the vehicles required by this section are not
18	available or do not meet the specific needs of the agency. Life
19	cycle vehicle and fuel costs may be included in the
20	determination of whether a particular vehicle meets the needs of
21	the agency. Estimates of future fuel prices shall be based on



S.B. NO. /037

1 projections from the United States Energy Information 2 Administration. 3 [(f)] (d) Vehicles acquired from another state agency and 4 excluded vehicles are exempt from the requirements of this 5 section. 6 $\left[\frac{1}{2}\right]$ (e) Nothing in this section is intended to interfere 7 with [an agency's] the ability of a covered fleet to comply with 8 [federally imposed] the vehicle purchase mandates [such as 9 these | required by 10 Code of Federal Regulations Part 490 10 Subpart C." 11 SECTION 9. Section 286-172, Hawaii Revised Statutes, is 12 amended by amending subsection (a) to read as follows: 13 Subject to authorization granted by the chief justice "(a) 14 with respect to the traffic records of the violations bureaus of 15 the district courts and of the circuit courts, the director of 16 transportation shall furnish information contained in the 17 statewide traffic records system in response to: 18 Any request from a state, a political subdivision of a (1)19 state, or a federal department or agency, or any other 20 authorized person pursuant to rules adopted by the 21 director of transportation under chapter 91;



S.B. NO. /037

26

1 (2) Any request from a person having a legitimate reason, 2 as determined by the director, as provided under the 3 rules adopted by the director under paragraph (1), to 4 obtain the information for verification of vehicle 5 ownership, traffic safety programs, or for research or statistical reports; [or] 6 7 The energy resources coordinator, to track the number (3) 8 and type of vehicles in use and the effectiveness of 9 efforts to increase energy efficiency and diversify 10 the fuel needs of Hawaii's transportation sector; or 11 $\left[\frac{3}{3}\right]$ (4) Any request from a person required or authorized 12 by law to give written notice by mail to owners of 13 vehicles." 14 SECTION 10. The department of transportation, in 15 consultation with the department of accounting and general 16 services and the department of business, economic development, 17 and tourism, shall coordinate with the various county 18 governments, energy industry experts, transportation 19 specialists, and business, labor, and community leaders to 20 develop and implement a plan to expedite State and county 21 permitting and installation of battery exchange stations and 22 electric vehicle charging outlets in homes, businesses, public 2009-0610 SB SMA.doc

9

S.B. NO. /037

1 and parking lots, and other buildings and facilities throughout 2 the State. The department of transportation shall present to 3 the legislature an expedited permitting and electric vehicle 4 infrastructure plan that is based on its findings no later than 5 twenty days prior to the convening of the 2010 regular session. 6 SECTION 11. Statutory material to be repealed is bracketed 7 and stricken. New statutory material is underscored.

8 SECTION 12. This Act shall take effect upon its approval.

INTRODUCED BY:		
	By Request	





Report Title:

Electric Vehicles; Energy Efficient Industry Development

Description:

Develops a suitable infrastructure to develop the electric vehicle industry in Hawaii.

