

A BILL FOR AN ACT

RELATING TO THE USE OF AIR CONDITIONERS.

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

1 SECTION 1. Chapter 196, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:
4 "§196- Air conditioning; commercial buildings. (a) It
5 shall be unlawful to keep open any exterior door of a commercial
6 building or structure while an air conditioning or central
7 cooling system is operating that cools the area adjacent to the
8 door, except as needed to permit the ingress and egress of
9 people and the delivery and shipping of goods; provided,
10 however, that the foregoing shall not apply when an emergency
11 situation exists that requires an exterior door to be kept open.

12 (b) Any person who violates subsection (a) shall be
13 subject to:

14 (1) A written warning for a first violation;

15 (2) A civil penalty in the amount of \$200 for each open
16 door for a second violation within an eighteen month
17 period; and



1 (3) A civil penalty in the amount of \$400 for each open
2 door for any third and subsequent violation within an
3 eighteen month period.

4 If there are no violations under this section within eighteen
5 successive months from the date of the last violation, then the
6 next violation shall be treated as the first violation.

7 "Person", for purposes of this subsection, means:

8 (1) With respect to the portion of a commercial building
9 or structure that is a retail or wholesale
10 establishment that sells goods or provides services to
11 consumers, the owner or lessee of the establishment;
12 and

13 (2) With respect to any other portion of a commercial
14 building or structure, the record owner or lessee of
15 the building or structure.

16 (c) For purposes of this section:

17 "Commercial building or structure" means a building or
18 structure that is designed, arranged, intended, maintained, or
19 occupied for commercial or business activities, or in which
20 commercial or business activities, occupations, businesses, or
21 operations are carried out, or intended to be carried out.



1 "Door" means any door used to close off any exterior
2 entrance to a commercial building or structure and that when
3 open allows for the commingling of indoor and outdoor air, but
4 shall not include doors of a hotel room that is occupied."

5 SECTION 2. New statutory material is underscored.

6 SECTION 3. This Act shall take effect on January 1, 2011.

7

INTRODUCED BY: _____



By Request



Report Title:

Air Conditioning Use; Commercial Buildings or Structures

Description:

Prohibits in a commercial building or structure keeping any exterior door from being open while an air conditioner or central cooling system is in use.

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