
A BILL FOR AN ACT

RELATING TO RENEWABLE ENERGY TECHNOLOGIES.

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

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

"§196-6.5 Solar water heater system required for new single-family residential construction. (a) On or after January 1, 2010, no building permit shall be issued for a new single-family dwelling that does not include a solar water heater system that meets the standards established pursuant to section 269-44, unless the coordinator approves a variance. A variance application shall only be accepted if submitted by an architect or mechanical engineer licensed under chapter 464, who attests that:

(1) Installation is impracticable due to poor solar resource;

(2) Installation is cost-prohibitive based upon a life cycle cost-benefit analysis that incorporates the average residential utility bill and the cost of the



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 [~~-~~] and the life cycle cost for the device is
10 less than a solar water heater system based on
11 analysis in subsection (a)(2). For the purposes of
12 this paragraph, "demand water heater" means a gas-
13 tankless instantaneous water heater that provides hot
14 water only as it is needed.

15 (b) A request for a variance shall be submitted to the
16 coordinator on an application prescribed by the coordinator and
17 shall include a description of the location of the property and
18 justification for the approval of a variance using the criteria
19 established in subsection (a). A variance shall be deemed
20 approved if not denied within thirty working days after receipt
21 of the variance application. The coordinator shall publicize:



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

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

(c) The director of business, economic development, and tourism may adopt rules pursuant to chapter 91 to impose and collect fees to cover the costs of administering variances under this section. The fees, if any, shall be deposited into the energy security special fund established under section 201-12.8.

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

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

(f) As used in this section, "renewable energy technology system" means a new system that captures and converts a renewable source of energy, such as solar or wind energy, into:

(1) A usable source of thermal or mechanical energy;

(2) Electricity; or



1 (3) Fuel."

2 SECTION 2. This Act does not affect rights and duties that
3 matured, penalties that were incurred, and proceedings that were
4 begun before its effective date.

5 SECTION 3. Statutory material to be repealed is bracketed
6 and stricken. New statutory material is underscored.

7 SECTION 4. This Act shall take effect upon its approval.

8



H.B. NO. 1864
H.D. 2
S.D. 1
Proposed

Report Title:

Solar Water Heaters; Energy Conservation; DBEDT

Description:

Amends the criteria for granting a variance. (Proposed SD1)

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