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# A BILL FOR AN ACT

RELATING TO ELECTRIC VEHICLES.

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

1           SECTION 1. Section 291-71, Hawaii Revised Statutes, is  
2 amended to read as follows:  
3           "**§291-71 Designation of parking spaces for electric**  
4 **vehicles; charging system.** (a) Places of public accommodation  
5 with at least one hundred parking spaces available for use by  
6 the general public shall have at least one parking space per one  
7 hundred spaces exclusively for electric vehicles and equipped  
8 with an electric vehicle charging system located anywhere in the  
9 parking structure or lot [~~by July 1, 2012~~]; provided that no  
10 parking space designated for electric vehicles shall displace or  
11 reduce accessible stalls required by the Americans with  
12 Disabilities Act Accessibility Guidelines. Spaces shall be  
13 designated, clearly marked, and the exclusive designation  
14 enforced. [~~Owners of multiple parking facilities within the~~  
15 ~~State may designate and electrify fewer parking spaces than~~  
16 ~~required in one or more of their owned properties; provided that~~



1 ~~the scheduled requirement is met for the total number of~~  
2 ~~aggregate spaces on all of their owned properties.]~~

3 (b) The department of transportation shall provide written  
4 notification of noncompliance to an owner of a place of public  
5 accommodation if the department believes that the place of  
6 public accommodation is not compliant with this section. If the  
7 place of public accommodation is not compliant with this  
8 section:

9 (1) Within three hundred sixty-five days after the owner's  
10 receipt of a notification of noncompliance, the  
11 department of transportation shall provide the owner  
12 of the place of public accommodation a first warning  
13 to become compliant with this section;

14 (2) Within one hundred eighty days after receipt of a  
15 first warning of noncompliance, the department of  
16 transportation shall provide the owner of the place of  
17 public accommodation a formal notice of violation of  
18 this section; or

19 (3) Within ninety days after receipt of a formal notice of  
20 violation of this section, the department of



1           transportation shall fine the owner of the place of  
2           public accommodation as provided in subsection (c).

3           (c) The department of transportation shall fine an owner  
4 of a place of public accommodation that is in violation of this  
5 section \$200 for every day that the place of accommodation  
6 remains in violation. If a fine against a place of public  
7 accommodation accrues to more than \$300,000, then the department  
8 of transportation shall place a lien against the real property  
9 of the place of public accommodation.

10          (d) The department of transportation may exempt a place of  
11 accommodation from complying with this section in cases of  
12 financial or engineering hardship; provided that a financial  
13 hardship exemption shall not be granted for a place of public  
14 accommodation if electrical charging stations can be installed  
15 at no cost.

16          ~~[-(b)]~~ (e) For the purposes of this section:

17          "Electric vehicle" means:

18          (1) A neighborhood electric vehicle as defined in section  
19               286-2; or

20          (2) A vehicle, with four or more wheels, that draws  
21               propulsion energy from a battery with at least four



1 kilowatt hours of energy storage capacity that can be  
2 recharged from an external source of electricity.

3 "Electric vehicle charging system" means a system that:

- 4 (1) Is capable of providing electricity from a non-vehicle  
5 source to charge the batteries of one or more electric  
6 vehicles;
- 7 (2) Meets recognized standards, including standard SAE  
8 J1772 of SAE International; and
- 9 (3) Is designed and installed in compliance with article  
10 625 of the National Electrical Code.

11 "Place of public accommodation" has the same meaning as  
12 that provided in section 489-2[-]; provided that the term shall  
13 not include parks, campsites, trailer facilities, or other  
14 recreation facilities."

15 SECTION 2. (a) The director of transportation shall  
16 establish a two-year task force to examine and make  
17 recommendations to expand electric vehicle parking spaces in  
18 public parking lots to meet public demands and the State's  
19 energy goals.

20 (b) The director of transportation shall appoint at least  
21 three members to the task force. The members shall consist of:



- 1           (1) The director of transportation or the director's  
2           designee;
- 3           (2) The director of business, economic development, and  
4           tourism or the director's designee; and
- 5           (3) Other stakeholders as determined by the director of  
6           transportation.
- 7           (c) No member of the task force shall be made subject to  
8 chapter 84, Hawaii Revised Statutes, solely because of that  
9 member's participation as a member of the task force.
- 10          (d) The task force shall submit the following reports to  
11 the legislature:
- 12          (1) A preliminary report no later than twenty days prior  
13           to the convening of regular session of 2018; and
- 14          (2) A final report no later than twenty days before the  
15           convening of the regular session of 2019,  
16 on its findings and recommendations, including a proposed plan  
17 and structure to implement the expansion of electric vehicle  
18 parking spaces in public parking lots in the State.
- 19          (e) The task force shall cease to exist on June 30, 2019.



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

4           SECTION 4. Statutory material to be repealed is bracketed  
5 and stricken. New statutory material is underscored.

6           SECTION 5. This Act shall take effect upon its approval.



**Report Title:**

Electric Vehicles; Places of Public Accommodations; Parking Spaces; Department of Transportation; Task Force

**Description:**

Specifying that places of public accommodation with at least 100 parking spaces available for public use have at least one parking space designated for an electric vehicle per 100 parking spaces, subject to certain conditions. Removing the requirement allowing owners of multiple parking facilities to designate and electrify few parking spaces than required. Establishing notification requirements and fines for noncompliance. Establishing a task force to examine and make recommendations to expand electric vehicle parking spaces in public parking lots. (HB793 HD1)

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

