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## A BILL FOR AN ACT

RELATING TO FUEL CELL ELECTRIC VEHICLES.

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

1 SECTION 1. Act 168, Session Laws of Hawaii 2012, is  
2 amended by amending section 2 to read as follows:

3 "SECTION 2. (a) The department of transportation may  
4 adopt rules pursuant to chapter 91, Hawaii Revised Statutes, for  
5 the registration of, and issuance of special license plates for,  
6 electric vehicles.

7 (b) An electric vehicle on which an electric vehicle  
8 license plate is affixed shall be exempt from payment of parking  
9 fees, including those collected through parking meters, charged  
10 by any state or county authority in this State, except that this  
11 exemption shall not apply:

12 (1) For more than two and one-half hours of metered  
13 parking, or the maximum amount of time the meter  
14 allows, whichever is longer; or

15 (2) To parking fees assessed in increments longer than one  
16 twenty-four-hour day, including weekly, monthly, or  
17 annual parking permits.



1 (c) An electric vehicle on which an electric vehicle  
2 license plate is affixed shall be exempt from high occupancy  
3 vehicle lane restrictions.

4 (d) For the purposes of this Act:

5 "Electric vehicle" means:

6 (1) A neighborhood electric vehicle; [~~o~~]

7 (2) A vehicle, with four or more wheels, that draws  
8 propulsion energy from a battery with at least four  
9 kilowatt hours of energy storage capacity that can be  
10 recharged from an external source of electricity[~~-~~];

11 or

12 (3) A fuel cell electric vehicle.

13 "Fuel cell electric vehicle" means a zero-emission electric  
14 vehicle that uses a fuel cell to convert hydrogen gas and oxygen  
15 into electricity to power one or more onboard electric motors to  
16 propel the vehicle."

17 SECTION 2. Section 103D-412, Hawaii Revised Statutes, is  
18 amended as follows:

19 1. By amending subsection (b) to read:

20 "(b) Beginning January 1, 2010, all state and county  
21 entities, when purchasing new vehicles, shall seek vehicles with



1 reduced dependence on petroleum-based fuels that meet the needs  
2 of the agency. Priority for selecting vehicles shall be as  
3 follows:

- 4 (1) Electric [~~or~~] vehicles, plug-in hybrid electric  
5 vehicles[~~+~~  
6 ~~(2) Hydrogen-~~or~~], or fuel cell electric vehicles;  
7 [~~3~~] (2) Other alternative fuel vehicles;  
8 [~~4~~] (3) Hybrid electric vehicles; and  
9 [~~5~~] (4) Vehicles that are identified by the United States  
10 Environmental Protection Agency in its annual "Fuel  
11 Economy Leaders" report as being among the top  
12 performers for fuel economy in their class."~~

13 2. By amending subsection (c) to read:

14 "(c) For the purposes of this section:

15 "Agency" means a state agency, office, or department.

16 "Alternative fuel" means alcohol fuels, mixtures containing  
17 eighty-five per cent or more by volume of alcohols with gasoline  
18 or other fuels, natural gas, liquefied petroleum gas, hydrogen,  
19 biodiesel, mixtures containing twenty per cent or more by volume  
20 of biodiesel with diesel or other fuels, other fuels derived



1 from biological materials, and electricity provided by off-board  
2 energy sources.

3 "Covered fleet" has the same meaning as contained in 10  
4 Code of Federal Regulations Part 490 Subpart C.

5 "Excluded vehicles" has the same meaning as provided in 10  
6 Code of Federal Regulations section 490.3.

7 "Fuel cell electric vehicle" means a zero-emission electric  
8 vehicle that uses a fuel cell to convert hydrogen gas and oxygen  
9 into electricity to power one or more onboard electric motors to  
10 propel the vehicle.

11 "Light-duty motor vehicle" has the same meaning as  
12 contained in 10 Code of Federal Regulations Part 490, not  
13 including any vehicle incapable of traveling on highways or any  
14 vehicle with a gross vehicle weight rating greater than eight  
15 thousand five hundred pounds."

16 SECTION 3. Section 291-71, Hawaii Revised Statutes, is  
17 amended by amending subsection (b) to read as follows:

18 "(b) For the purposes of this section:

19 "Electric vehicle" means:

20 (1) A neighborhood electric vehicle as defined in section  
21 286-2; [~~o~~]



1 (2) A vehicle, with four or more wheels, that draws  
2 propulsion energy from a battery with at least four  
3 kilowatt hours of energy storage capacity that can be  
4 recharged from an external source of electricity[-];

5 or

6 (3) A fuel cell electric vehicle.

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

8 (1) Is capable of providing electricity from a non-vehicle  
9 source to charge the batteries of one or more electric  
10 vehicles;

11 (2) Meets recognized standards, including standard SAE  
12 J1772 of SAE International; and

13 (3) Is designed and installed in compliance with article  
14 625 of the National Electrical Code[-];

15 provided that the term shall not include facilities or systems  
16 for refueling the hydrogen storage tank of a fuel cell electric  
17 vehicle.

18 "Fuel cell electric vehicle" means a zero-emission electric  
19 vehicle that uses a fuel cell to convert hydrogen gas and oxygen  
20 into electricity to power one or more onboard electric motors to  
21 propel the vehicle.



1 "Place of public accommodation" has the same meaning as  
2 that provided in section 489-2."

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

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

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

9

INTRODUCED BY: 

JAN 18 2019



# H.B. NO. 239

**Report Title:**

Fuel Cell Electric Vehicles; License Plates

**Description:**

Exempts fuel cell electric vehicle from payment of parking fees and high occupancy vehicle lane restrictions. Increases the priority to be placed on fuel cell electric vehicles for state and county entities purchasing new vehicles. Allows for fuel cell electric vehicles to be parked in designated electric vehicle parking spaces. For purposes of determining electric vehicle parking spaces, restricts electric system charging systems to those that do not include facilities or systems for refueling hydrogen storage tanks of fuel cell electric vehicles.

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

