

JAN 22 2021

A BILL FOR AN ACT

RELATING TO TRANSPORTATION.

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

1 SECTION 1. The legislature finds that the protection of
2 natural resources is critical to the future of the State's
3 tourism industry. Many visitors choose to vacation in the State
4 to experience the unique natural resources that can be found
5 only in Hawaii and nowhere else in the world.

6 Even as the effects of climate change make natural resource
7 protection ever more important, the legislature finds that the
8 department of land and natural resources lacks the necessary
9 funding to properly carry out its critical role as guardian of
10 the environment. This lack of funding puts Hawaii's environment
11 at risk and, therefore, seriously threatens an important
12 foundation of the State's tourism industry.

13 The legislature further finds that other states have
14 successfully used voluntary contribution check-off boxes to
15 raise money for the protection of their natural resources. A
16 similar program in Hawaii will raise funds for the State's own



1 environmental management and will engage visitors for this
2 purpose.

3 The purpose of this Act is to provide the opportunity for
4 persons renting cars in Hawaii to make a voluntary contribution
5 toward the protection of the State's unique environment, which
6 is a critical component of our tourism-based economy.

7 SECTION 2. Chapter 437D, Hawaii Revised Statutes, is
8 amended by adding a new section to be appropriately designated
9 and to read as follows:

10 "§437D- Optional environmental impact contribution. (a)
11 Every lessor who is required to register with the director under
12 section 251-3 shall include an option in each rental agreement
13 for the lessee to make a voluntary contribution to the
14 department of land and natural resources to preserve and protect
15 the environment. The option shall be conspicuously printed in
16 the rental agreement and the language of the option shall
17 clearly state that the option is voluntary and does not affect
18 the rental agreement. The department of land and natural
19 resources shall develop and approve the option to be placed in
20 each rental agreement.



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1 (b) The lessor shall collect and keep all records of all
 2 contributions collected pursuant to this section and shall
 3 provide receipts to all lessees who elect to contribute.

4 (c) Contributions collected pursuant to this section shall
 5 be remitted to the department of land and natural resources,
 6 which shall deposit the contributions at the end of every fiscal
 7 year as follows:

8 (1) Fifty per cent into the conservation and resources
 9 enforcement special fund established under section
 10 199-1.5; and

11 (2) Fifty per cent into the land conservation fund
 12 established under section 173A-5."

13 SECTION 3. Section 173A-5, Hawaii Revised Statutes, is
 14 amended by amending subsection (d) to read as follows:

15 "(d) The appropriate percentage identified under section
 16 247-7 of all taxes imposed and collected under chapter 247 and
 17 contributions collected through rental agreements under section
 18 437D- shall be deposited in or credited to the fund every
 19 fiscal year."

20 SECTION 4. Section 199-1.5, Hawaii Revised Statutes, is
 21 amended by amending subsection (b) to read as follows:



1 "(b) The following shall be deposited into the
2 conservation and resources enforcement special fund:
3 (1) Grants, awards, donations, gifts, transfers, or moneys
4 derived from public or private sources for the
5 purposes of enforcing the provisions of title 12;
6 chapters 6D, 6E, and 6K; or any rule adopted
7 thereunder;
8 (2) Fees, reimbursements, administrative charges, and
9 penalties collected for activities related to the
10 enforcement of natural, cultural, and historic
11 resources protection laws and rules, except as
12 otherwise provided by law that provides for deposits
13 into other special funds administered by the
14 department;
15 (3) Contributions collected through rental agreements
16 under section 437D- ;
17 ~~[-(3)]~~ (4) Moneys derived from interest, dividends, or other
18 income from the above-mentioned sources; and
19 ~~[-(4)]~~ (5) Appropriations by the legislature to the special
20 fund. "



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1 SECTION 5. The department of land and natural resources
2 shall adopt rules in accordance with chapter 91, Hawaii Revised
3 Statutes, to effectuate the purpose of this Act by July 1, 2022.

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

6 SECTION 7. This Act shall take effect on January 1, 2022.

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INTRODUCED BY: 



S.B. NO. 755

Report Title:

Environmental Conservation; Optional Contribution; Rental Motor Vehicles; Transportation

Description:

Requires lessors of rental motor vehicles to include an option for the lessee in the motor vehicle rental agreement to contribute a sum to DLNR for the preservation and protection of the environment. Takes effect 1/1/2022.

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

