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# A BILL FOR AN ACT

RELATING TO STATE LIGHT DUTY VEHICLES.

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

1 PART I

2 SECTION 1. The legislature finds that the use of fossil  
3 fuels is the State's primary contributor to greenhouse gas  
4 emissions. These emissions cause climate change, which poses a  
5 serious threat to the State's economic well-being, public  
6 health, infrastructure, and environment. The State's dependence  
7 on fossil fuels also drains the economy of billions of dollars  
8 each year, makes residents vulnerable to the volatility of oil  
9 prices, and puts residents at increased risk in the event of a  
10 natural disaster. Thus, Act 15, Session Laws of Hawaii 2018,  
11 was enacted to establish a goal for the State to become carbon  
12 neutral by 2045.

13 The legislature further finds that the transportation  
14 sector accounts for the use of over two-thirds of the oil  
15 imported into the State. The legislature notes that, for ground  
16 transportation, electric vehicles provide a viable,  
17 cost-effective alternative to vehicles that run on fossil fuels.



1 For state-owned transportation fleets, the transition to  
2 electric vehicles will bring with it considerable cost savings  
3 because of lower costs to operate and maintain these vehicles.  
4 With the impacts of the COVID-19 pandemic on the state budget,  
5 it is imperative that the State take advantage of all  
6 opportunities for savings, and the electrification of state  
7 fleets to the extent possible is one of these opportunities.

8 The purpose of this part is to facilitate the transition to  
9 one hundred per cent clean ground transportation in the State by  
10 establishing a goal for the State to lead by example by  
11 transitioning to one hundred per cent of state-owned, light duty  
12 vehicles powered by renewable energy sources by 2035.

13 SECTION 2. Chapter 103D, Hawaii Revised Statutes, is  
14 amended by adding a new section to be appropriately designated  
15 and to read as follows:

16 "§103D- Other motor vehicle requirements. (a) The  
17 procurement policy for all agencies purchasing or leasing  
18 medium- and heavy-duty motor vehicles shall be to seek vehicles  
19 that reduce dependence on petroleum-based fuels that meet the  
20 needs of the agency.



1 Priorities for selecting vehicles for lease or purchase  
2 shall be as follows:

- 3 (1) Zero emission vehicles;
- 4 (2) Plug-in hybrid electric vehicles;
- 5 (3) Alternative fuel vehicles; and
- 6 (4) Hybrid vehicles.

7 (b) Vehicles shall not be larger than necessary for their  
8 intended functions."

9 SECTION 3. Chapter 225P, Hawaii Revised Statutes, is  
10 amended by adding a new section to be appropriately designated  
11 and to read as follows:

12 "§225P- Climate change mitigation. (a) It shall be  
13 the goal of the State to reduce emissions that cause climate  
14 change and build energy efficiencies across all sectors,  
15 including decarbonizing the transportation sector.

16 (b) State agencies shall manage their fleets to achieve  
17 the clean ground transportation goals defined in  
18 section 196-9(c)(10) and decarbonization goals established  
19 pursuant to chapter 225P."



1 SECTION 4. Chapter 264, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:

4 **"§264- Clean ground transportation goal.** The  
5 department of transportation, in collaboration with the Hawaii  
6 state energy office, shall develop strategies to transition all  
7 light-duty motor vehicles in the State to meet the clean ground  
8 transportation goal established pursuant to  
9 section 196-9(c)(10)."

10 SECTION 5. Section 103D-412, Hawaii Revised Statutes, is  
11 amended to read as follows:

12 **"§103D-412 Light-duty motor vehicle requirements.** (a)  
13 The procurement policy for all agencies purchasing or leasing  
14 light-duty motor vehicles shall be to reduce dependence on  
15 petroleum for transportation energy.

16 (b) [~~Beginning January 1, 2010,~~] The procurement policy  
17 for all [state and county entities, when] agencies purchasing or  
18 leasing new vehicles[~~]~~ shall seek vehicles with reduced  
19 dependence on petroleum-based fuels that meet the needs of the  
20 agency. Priority for selecting vehicles shall be as follows:



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

11       (c) Vehicles shall not be larger than necessary for their  
12       intended functions.

13       ~~[-(e)]~~ (d) For the purposes of this section:

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

15       "Alternative fuel" ~~[means alcohol fuels, mixtures~~  
16       ~~containing eighty-five per cent or more by volume of alcohols~~  
17       ~~with gasoline or other fuels, natural gas, liquefied petroleum~~  
18       ~~gas, hydrogen, biodiesel, mixtures containing twenty per cent or~~  
19       ~~more by volume of biodiesel with diesel or other fuels, other~~  
20       ~~fuels derived from biological materials, and electricity~~  
21       ~~provided by off-board energy sources.]~~ shall have the same



1 meaning as contained in title 10 Code of Federal Regulations  
2 part 490; provided that "alternative fuel" shall also include  
3 liquid or gaseous fuels produced from renewable feedstocks such  
4 as organic wastes, or from water using electricity from  
5 renewable energy sources.

6 "Alternative fuel vehicle" shall have the same meaning as  
7 contained in title 10 Code of Federal Regulations part 490.

8 "Covered fleet" has the same meaning as contained in  
9 title 10 Code of Federal Regulations [Part] part 490 [Subpart]  
10 subpart C.

11 "Excluded vehicles" has the same meaning as [~~provided~~]  
12 contained in title 10 Code of Federal Regulations section 490.3.

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 that is used in a vehicle powertrain for  
16 propulsion.

17 "Hybrid vehicle" shall have the same meaning as contained  
18 in title 40 Code of Federal Regulations section 86.1803-01.

19 "Light-duty motor vehicle" has the same meaning as  
20 contained in title 10 Code of Federal Regulations [Part]  
21 part 490 [~~, not including any vehicle incapable of traveling on~~]



1 ~~highways or any vehicle with a gross vehicle weight rating~~  
2 ~~greater than eight thousand five hundred pounds].~~

3 "Plug-in hybrid electric vehicle" has the same meaning as  
4 contained in title 40 Code of Federal Regulations  
5 part 86.1803-01.

6 "Zero emission vehicle" has the same meaning as contained  
7 in title 40 Code of Federal Regulations part 88.102-94.

8 [~~(d)~~] (e) Agencies may apply to the chief procurement  
9 officer for exemptions from the requirements of this section to  
10 the extent that the vehicles required by this section are not  
11 available or do not meet the specific needs of the agency;  
12 provided that life cycle vehicle and fuel costs may be included  
13 in the determination of whether a particular vehicle meets the  
14 needs of the agency. Estimates of future fuel costs shall be  
15 based on projections from the United States Energy Information  
16 Administration.

17 [~~(e)~~] (f) Vehicles acquired from another state agency and  
18 excluded vehicles are exempt from the requirements of this  
19 section~~(-)~~ but shall be included in the calculation of the clean  
20 ground transportation goals established under  
21 section 196-9(c)(10).



1           ~~(f)~~ (g) Nothing in this section is intended to interfere  
2 with the ability of a covered fleet to comply with the vehicle  
3 purchase mandates required by title 10 Code of Federal  
4 Regulations [~~Part~~] part 490 [~~Subpart~~] subpart C."

5           SECTION 6. Section 196-9, Hawaii Revised Statutes, is  
6 amended by amending subsection (c) to read as follows:

7           "(c) With regard to motor vehicles and transportation  
8 fuel, each agency shall:

- 9           (1) Comply with [~~Title~~] title 10[~~7~~] Code of Federal  
10 Regulations[~~, Part~~] part 490, [~~Subpart~~] subpart C,  
11 "Mandatory State Fleet Program", if applicable;
- 12           (2) Comply with all applicable state laws regarding  
13 vehicle purchases;
- 14           (3) Once federal and state vehicle purchase mandates have  
15 been satisfied, purchase the most fuel-efficient  
16 vehicles that meet the needs of their programs;  
17 provided that life cycle cost-benefit analysis of  
18 vehicle purchases shall include projected fuel costs;
- 19           (4) Purchase alternative fuels and ethanol blended  
20 gasoline when available;



- 1 (5) Evaluate a purchase preference for biodiesel blends,  
2 as applicable to agencies with diesel fuel purchases;
- 3 (6) Promote efficient operation of vehicles[+], including  
4 efficient planning of charging station locations and  
5 efficient utilization of renewable energy for charging  
6 electric vehicles;
- 7 (7) Use the most appropriate minimum octane fuel; provided  
8 that vehicles shall use 87-octane fuel unless the  
9 owner's manual for the vehicle states otherwise or the  
10 engine experiences knocking or pinging;
- 11 (8) Beginning with fiscal year 2005-2006 as the baseline,  
12 collect and maintain, for the life of each vehicle  
13 acquired, the following data:
  - 14 (A) Vehicle acquisition cost;
  - 15 (B) United States Environmental Protection Agency  
16 rated fuel economy;
  - 17 (C) Vehicle fuel configuration, such as gasoline,  
18 diesel, flex-fuel gasoline/E85, and dedicated  
19 propane;
  - 20 (D) Actual in-use vehicle mileage;
  - 21 (E) Actual in-use vehicle fuel consumption; [~~and~~]



- 1 (F) Actual in-use annual average vehicle fuel
- 2 economy; and
- 3 (G) Hourly charging data by electric vehicle and
- 4 electric vehicle charger;
- 5 (9) Beginning with fiscal year 2005-2006 as the baseline
- 6 with respect to each agency that operates a fleet of
- 7 thirty or more vehicles, collect and maintain, in
- 8 addition to the data in paragraph (8), the following:
- 9 (A) Information on the vehicles in the fleet,
- 10 including vehicle year, make, model, gross
- 11 vehicle weight rating, and vehicle fuel
- 12 configuration;
- 13 (B) Fleet fuel usage, by fuel;
- 14 (C) Fleet mileage; [~~and~~]
- 15 (D) Overall annual average fleet fuel economy and
- 16 average miles per gallon of gasoline and
- 17 diesel[~~-~~]; and
- 18 (E) Hourly charging data by electric vehicle and
- 19 electric vehicle charger; and
- 20 (10) Plan and coordinate vehicle acquisition to meet the
- 21 following clean ground transportation goals:



1           (A) One hundred per cent of light-duty passenger cars  
2           in the State's fleet shall be zero emission  
3           vehicles by December 31, 2030; and

4           (B) One hundred per cent of light-duty motor vehicles  
5           in the State's fleet shall be zero emission  
6           vehicles by December 31, 2035.

7           For the purposes of this subsection:

8           "Light-duty motor vehicle" has the same meaning as  
9           contained in title 10 Code Federal Regulations part 490.

10           "Passenger car" has the same meaning as contained in  
11           title 49 Code of Federal Regulations part 571.3.

12           "Zero emission vehicle" has the same meaning as contained  
13           in title 40 Code of Federal Regulations part 88.102-94."

14           SECTION 7. Section 196-42, Hawaii Revised Statutes, is  
15           amended to read as follows:

16           **"§196-42 State support for achieving alternate fuels**  
17           **standards[-] and clean ground transportation goals.** (a) The  
18           State shall facilitate the development of alternate fuels and  
19           support the attainment of a statewide alternate fuels standard  
20           of ten per cent of highway fuel demand to be provided by  
21           alternate fuels by 2010, fifteen per cent by 2015,



1 twenty per cent by 2020, and thirty per cent by 2030. For  
2 purposes of the alternate fuels standard, ethanol produced from  
3 cellulosic materials shall be considered the equivalent of two  
4 and one-half gallons of noncellulosic ethanol. "Alternate  
5 fuels" shall have the same meaning as contained in title 10 Code  
6 of Federal Regulations [~~Part~~] part 490; provided that it shall  
7 also include liquid or gaseous fuels produced from renewable  
8 feedstocks such as organic wastes, or from water using  
9 electricity from renewable energy sources.

10 (b) The State shall support the attainment of the clean  
11 ground transportation target established pursuant to  
12 section 196-9(c)(10)."

13 PART II

14 SECTION 8. Section 26-6, Hawaii Revised Statutes, is  
15 amended by amending subsection (b) to read as follows:

16 "(b) The department shall:

17 (1) Preaudit and conduct after-the-fact audits of the  
18 financial accounts of all state departments to  
19 determine the legality of expenditures and the  
20 accuracy of accounts;



- 1           (2) Report to the governor and to each regular session of
- 2           the legislature as to the finances of each department
- 3           of the State;
- 4           (3) Administer the state risk management program;
- 5           (4) Establish and manage motor pools;
- 6           (5) Manage the preservation and disposal of all records of
- 7           the State;
- 8           (6) Undertake the program of centralized engineering and
- 9           office leasing services, including operation and
- 10          maintenance and lease buyback processing pursuant to
- 11          subsection (d) of public buildings, for departments of
- 12          the State;
- 13          (7) Undertake the functions of the state surveyor;
- 14          (8) Establish accounting and internal control systems;
- 15          (9) Under the direction of the chief information officer,
- 16          provide centralized computer information management
- 17          and processing services;
- 18          (10) Establish a program to provide a means for public
- 19          access to public information and develop an
- 20          information network for state government; [~~and~~]



1 (11) Assume administrative responsibility for the office of  
2 information practices[-]; and

3 (12) Approve state fleet acquisitions; provided that:

4 (A) Beginning January 1, 2022, all new light-duty  
5 passenger cars purchased for the State's fleet  
6 shall be zero emission vehicles;

7 (B) Beginning as soon as practicable but no later  
8 than January 1, 2030, all new light-duty  
9 multipurpose passenger vehicles and trucks for  
10 the State's fleet shall be zero emission  
11 vehicles; and

12 (C) The comptroller may authorize an exemption for  
13 new fleet vehicle purchases if zero emission  
14 vehicles are demonstrated to be cost-prohibitive  
15 on a lifecycle basis or unsuitable for the  
16 vehicle's planned purpose.

17 For the purposes of this subsection:

18 "Light-duty motor vehicle" has the same meaning as  
19 contained in title 10 Code Federal Regulations part 490.

20 "Multipurpose passenger vehicle" has the same meaning as  
21 contained in title 49 Code of Federal Regulations part 571.3.



1 "Passenger car" has the same meaning as contained in  
2 title 49 Code of Federal Regulations part 571.3.

3 "Truck" has the same meaning as contained in title 49 Code  
4 of Federal Regulations part 571.3.

5 "Zero emission vehicle" has the same meaning as contained  
6 in title 40 Code of Federal Regulations part 88.102-94."

7 PART III

8 SECTION 9. Chapter 103D, Hawaii Revised Statutes, is  
9 amended by adding a new section to part IV to be appropriately  
10 designated and to read as follows:

11 "§103D- Construction projects, roadway materials;  
12 carbon footprint reduction. When purchasing building materials  
13 for the construction of new roads, state and county agencies  
14 shall purchase building materials for the project that reduce  
15 the carbon footprint of the project, where the purchase of such  
16 building materials is feasible and cost-effective."

17 PART IV

18 SECTION 10. Statutory material to be repealed is bracketed  
19 and stricken. New statutory material is underscored.

20 SECTION 11. This Act shall take effect on July 1, 2050.



**Report Title:**

Clean Ground Transportation Goals; Fleet Procurement; Carbon Footprint Reduction

**Description:**

Part I: Establishes clean ground transportation goals for state agencies to achieve a one hundred per cent light-duty motor vehicles zero-emission fleet by December 31, 2035. Part II: Authorizes the department of accounting and general services to approve state fleet acquisitions, including zero emission vehicle requirements for light-duty passenger cars and light-duty multipurpose passenger vehicles and trucks and allowance for exemptions. Part III: Requires state and county agencies to purchase building materials for the project that reduce the carbon footprint of the project whenever feasible and cost-effective. Effective 7/1/2050. (HD1)

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

