
A BILL FOR AN ACT

RELATING TO ELECTRIC VEHICLES.

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

1 SECTION 1. Chapter 291, Hawaii Revised Statutes, is
2 amended by amending the title of part IV to read as follows:

3 " ~~[+] PART IV. [MISCELLANEOUS]~~ **PARKING FOR ELECTRIC VEHICLES**"

4 SECTION 2. Chapter 291, Hawaii Revised Statutes, is
5 amended by adding a new section to part IV to be appropriately
6 designated and to read as follows:

7 "**§291- Ordinances to enforce authorized. Each county**
8 **may adopt ordinances to enforce the requirements of section**
9 **291-71, including the establishment of penalties for failure to**
10 **comply with its requirements or make reasonable efforts to**
11 **maintain electric vehicle charging stations in working order.**"

12 SECTION 3. Section 291-71, Hawaii Revised Statutes, is
13 amended to read as follows:

14 "**§291-71 Designation of parking spaces for electric**
15 **vehicles; charging system.** (a) Places of public accommodation
16 with at least one hundred parking spaces available for use by
17 the general public shall have:



1 (1) [at] At least [one] five parking [space] spaces per
2 one hundred stalls exclusively for electric vehicles
3 and equipped with an electric vehicle charging system
4 located anywhere in the parking structure or lot by
5 [July 1, 2012;] January 1, 2025; and

6 (2) At least ten parking spaces per one hundred stalls
7 exclusively for electric vehicles and equipped with an
8 electric vehicle charging system located anywhere in
9 the parking structure or lot by January 1, 2030;

10 provided that no parking space designated for electric vehicles
11 shall displace or reduce accessible stalls required by the
12 Americans with Disabilities Act Accessibility Guidelines.
13 Spaces shall be designated, clearly marked, and the exclusive
14 designation enforced. Owners of multiple parking facilities
15 within the State may designate and electrify fewer parking
16 spaces than required in one or more of their owned properties;
17 provided that the scheduled requirement is met for the total
18 number of aggregate spaces on all of their owned properties.
19 Nothing in this section shall prohibit the owners of parking
20 structures or lots from charging a reasonable fee to consumers
21 for use of the electric vehicle charging system.



1 (b) Effective January 1, 2022, each new electric vehicle
2 charging system installed or placed in service pursuant to this
3 section shall be at least a Level 2 charging station that is
4 network capable.

5 (c) Reasonable efforts shall be made to maintain electric
6 vehicle charging systems in working order.

7 (d) This section shall not apply to any parking lot that
8 is located within a special flood hazard area, as delineated on
9 flood maps issued by the Federal Emergency Management Agency.

10 (e) Any owner of a parking structure who is unable to meet
11 the requirements of this section may petition the county for a
12 one-time extension of up to one year from the date that
13 compliance is required; provided that any extension granted
14 under this section is at the sole discretion of the county and
15 shall only be granted upon a demonstration of need by the owner.

16 ~~[(b) For the purposes of]~~ (f) As used in this section:
17 "Electric vehicle" means:

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

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; or
3 (3) A fuel cell electric vehicle.

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

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

8 (2) Meets recognized standards, including standard SAE
9 J1772 of SAE International; and

10 (3) Is designed and installed in compliance with article
11 625 of the National Electrical Code;

12 provided that the term shall not include facilities or systems
13 for refueling the hydrogen storage tank of a fuel cell electric
14 vehicle.

15 "Fuel cell electric vehicle" means a zero-emission electric
16 vehicle that uses a fuel cell to convert hydrogen gas and oxygen
17 into electricity that is used in a vehicle powertrain for
18 propulsion.

19 "Level 2 charging station" shall have the same meaning as
20 "alternating current Level 2 charging station" in section
21 269-72.



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

3 SECTION 4. Section 291-72, Hawaii Revised Statutes, is
4 amended to read as follows:

5 **"§291-72 Parking spaces reserved for electric vehicles;
6 penalties.** (a) Beginning January 1, 2013, any person who parks
7 a non-electric vehicle in a space designated and marked as
8 reserved for electric vehicles shall receive a warning.

9 (b) Beginning July 1, 2013, any person who parks a non-
10 electric vehicle in a space designated and marked as reserved
11 for electric vehicles shall be guilty of a traffic infraction
12 under chapter 291D and shall be fined not less than \$50 nor more
13 than \$100, and shall pay any costs incurred by the court related
14 to assessing the fine.

15 (c) Any citation issued under this section may be mailed
16 to the violator pursuant to section 291C-165(b).

17 (d) Notwithstanding any law to the contrary, and in
18 addition to any other authority provided by law that is not
19 inconsistent with this section:



1 (1) A law enforcement officer may access the property of a
2 private entity to enforce the provisions of this part;
3 and

4 (2) A commissioned volunteer enforcement officer may
5 access the property of a private entity to enforce the
6 provisions of this section; provided that the private
7 entity's parking lot contains a parking space required
8 by section 291-71."

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

12 SECTION 6. Statutory material to be repealed is bracketed
13 and stricken. New statutory material is underscored.

14 SECTION 7. This Act shall take effect on July 1, 2050.



Report Title:

Electric Vehicles; Charging Stations; Enforcement

Description:

Authorizes each county to adopt ordinances to enforce section 291-71, Hawaii Revised Statutes, including the establishment of penalties for failure to comply with its requirements or make reasonable efforts to maintain electric vehicle (EV) charging stations in working order. Clarifies that certain enforcement officers may enter private property to enforce EV parking space violations. Requires new EV charging systems installed pursuant to the EV charging system requirement to be at least Level 2 and network-capable beginning 1/1/2022. Changes EV charging equipped parking requirements per one hundred stalls from one stall by 2012 to five stalls by 2025 and ten stalls by 2030. Takes effect 7/1/2050. (SD1)

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