

JAN 21 2022

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# A BILL FOR AN ACT

RELATING TO ENERGY.

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

1           SECTION 1. The legislature finds that climate change  
2 caused by carbon emissions from burning fossil fuels poses a  
3 serious threat to the economic well-being, public health,  
4 natural resources, and environment of Hawaii. The State has  
5 committed to eliminating fossil fuels from the electricity and  
6 ground transportation sectors, abiding by the Paris Climate  
7 Accord's goal to limit the amount of global warming to less than  
8 1.5 degrees Celsius, and achieving negative carbon emissions for  
9 Hawaii by 2045. The legislature finds that meeting the State's  
10 clean energy goals and commitments necessitates the rapid  
11 transition to zero-emission vehicles that utilize local,  
12 renewable energy sources.

13           The legislature further finds that the number of electric  
14 vehicles in Hawaii is rising as more electric vehicles come to  
15 market, the ranges of electric vehicles increase, and the cost  
16 of electric vehicles decrease. The number of registered  
17 electric vehicles in Hawaii increased more than thirty per cent



1 during 2021, while the number of registered gasoline-powered  
2 vehicles has decreased.

3       The legislature believes that while there is a growing  
4 interest in electric vehicles among Hawaii residents, the lack  
5 of adequate vehicle charging infrastructure presents a key  
6 barrier to adoption. Many Hawaii residents, such as renters and  
7 other residents living in apartment buildings and other multi-  
8 family dwellings, lack access to electric vehicle charging  
9 stations at home and at work because a vast majority of parking  
10 facilities in the State lack electric vehicle charging stations.  
11 Recognizing that a lack of charging infrastructure remains a  
12 barrier to more widespread adoption of electric vehicles, in  
13 2019 the legislature established an electric vehicle charging  
14 system rebate program to incentivize the installation of  
15 publicly available charging stations and charging stations that  
16 serve fleets, or multiple tenants, employees, or customers.

17       The legislature further finds that the continuation of the  
18 electric vehicle charging system rebate program is a critical  
19 component of the State's efforts to transition off of fossil  
20 fuels and achieve a carbon-negative economy by 2045.  
21 Additionally, the program should work in tandem with, and not



1 duplicate, any available federal funding to further the goal of  
2 expanding the network of electric vehicle charging systems in  
3 the State. To ensure that the program is keeping pace with  
4 market and technology changes, periodic program adjustments may  
5 be needed from time to time. Flexibility in program  
6 implementation can help ensure that the program is adequately  
7 and sufficiently deploying rebates to priority locations in  
8 furtherance of the State's clean energy and carbon reduction  
9 goals, including in multi-family dwellings, at workplaces that  
10 can support daytime charging, in parking facilities that can  
11 support the visitor industry's transition to clean  
12 transportation, such as at hotels and rental car facilities, and  
13 in areas that will help to make the purchase of an electric  
14 vehicle a choice for Hawaii's low and moderate-income working  
15 families. Expanding rebate eligibility to a wider variety of  
16 electric vehicle charging systems can increase program  
17 participation and accelerate charging system deployment.

18 The purpose of this Act is to:

- 19 (1) Provide a rebate for new Level 2 charging stations  
20 with one port;



1           (2) Amend and add flexibility to the guidelines for  
2           consideration by the public utilities commission in  
3           administering the program; and

4           (3) Clarify that marketing and outreach expenses are  
5           included among allowable program administration  
6           expenses.

7           SECTION 2. Section 269-72, Hawaii Revised Statutes, is  
8 amended to read as follows:

9           "~~§269-72~~ **Electric vehicle charging system; rebate**

10 **program.** (a) The public utilities commission, in consultation  
11 with electric vehicle stakeholders and the state energy office,  
12 shall administer a rebate program that incentivizes the  
13 installation or upgrade of an electric vehicle charging system,  
14 as provided in this section, and may contract with a third-party  
15 administrator pursuant to section 269-73 to operate and manage  
16 the rebate program.

17           (b) An applicant may be eligible for a rebate under the  
18 rebate program if the applicant:

19           (1) Installs a new electric vehicle charging system where  
20           none previously existed to either:



1 (A) An alternating current Level 2 station with [~~two~~]  
2 one or more ports that provide electricity to  
3 [~~two~~] one or more electric vehicles; or

4 (B) A direct current fast charging system; or

5 (2) Upgrades an existing electric vehicle charging system  
6 to either:

7 (A) An alternating current Level 2 station with two  
8 or more ports that provide electricity to two or  
9 more electric vehicles; or

10 (B) A direct current fast charging system.

11 (c) Subject to subsection (d), rebates shall be  
12 distributed as follows:

13 (1) Each eligible installation of an electric vehicle  
14 charging system shall receive:

15 (A) \$2,000 for the installation of an alternating  
16 current Level 2 station with one port;

17 [~~(A)~~] (B) \$4,500 for the installation of an  
18 alternating current Level 2 station with two or  
19 more ports; and

20 [~~(B)~~] (C) \$35,000 for the installation of a direct  
21 current fast charging system; and



1 (2) Each eligible upgrade of an electric vehicle charging  
2 system shall receive:

3 (A) \$3,000 for the upgrade to an alternating current  
4 Level 2 station with two or more ports; and

5 (B) \$28,000 for the upgrade to a direct current fast  
6 charging system.

7 ~~[(d) The public utilities commission shall not issue more  
8 than \$500,000 in total rebates under this section each fiscal  
9 year.~~

10 ~~(e)]~~ (d) The public utilities commission shall:

11 (1) Prepare any forms that may be necessary for an  
12 applicant to claim a rebate pursuant to this section;  
13 and

14 (2) Require each applicant to furnish reasonable  
15 information to ascertain the validity of the claim,  
16 including but not limited to documentation necessary  
17 to demonstrate that the installation or upgrade for  
18 which the rebate is claimed is eligible.

19 ~~[(f)]~~ (e) This section shall apply to electric vehicle  
20 charging systems that are installed or upgraded after  
21 December 31, 2019.



1           ~~(g)~~ (f) Applicants shall submit applications to the  
2 public utilities commission within twelve months of the date  
3 that the newly installed or upgraded charging system is placed  
4 into service to claim a rebate from the electric vehicle  
5 charging system rebate program. Failure to apply to the  
6 commission within twelve months of the date that the newly  
7 installed or upgraded charging system is placed into service  
8 shall constitute a waiver of the right to claim the rebate.  
9 Rebates shall be subject to available funds and the program  
10 administrator shall not approve additional rebates for the  
11 remainder of the fiscal year after program funds have been fully  
12 exhausted.

13           ~~(h)~~ (g) Nothing in this section shall alter taxes due on  
14 the original purchase or upgrade price of an electric vehicle  
15 charging system prior to the application of the rebate. Any  
16 rebate received pursuant to the electric vehicle charging system  
17 rebate program shall not be considered income for the purposes  
18 of state or county taxes.

19           ~~(i)~~ (h) In administering the electric vehicle charging  
20 system rebate program, the public utilities commission shall  
21 give consideration to the following guidelines:



- 1           (1) Priority should be given to electric vehicle charging  
2           systems that are publicly available, serve multiple  
3           tenants, employees, or customers, or serve electric  
4           vehicle fleets[+], support the visitor industry in  
5           transitioning to clean transportation, and serve low  
6           and moderate-income and environmental justice  
7           communities;
- 8           (2) Electric vehicle charging system rebates should  
9           enhance broader public clean energy and grid  
10          resiliency goals by supporting deployment of electric  
11          vehicle charging systems that can regulate their time  
12          of use, be networked and co-optimized with other  
13          electric vehicle charging systems, and otherwise  
14          provide grid services or other benefits to the utility  
15          and electric grid; [~~and~~]
- 16          (3) Electric vehicle charging systems that serve a single  
17          person, such as a reserved parking stall or a single-  
18          family residence, shall not be eligible for  
19          rebates[-];
- 20          (4) Electric vehicle charging system rebates should  
21          support accessibility of charging to as many electric





1           vehicle drivers as feasible by requiring total direct  
2           current fast charging systems installed and rebated at  
3           a single site to provide connectors that support at  
4           least two charging standards; and

5       (5) The program administrator may propose new or modified  
6           guidelines to be considered in addition to those  
7           specified in this subsection and should have the  
8           flexibility to make programmatic adjustments due to  
9           market changes, technological advancements, and levels  
10           of participation to ensure the prudent use of taxpayer  
11           funds and to effectively manage the program budget.

12       [+j+] (i) As used in this section:

13           "Alternating current Level 2 charging station", commonly  
14 referred to as "Level 2 charging station", means an electric  
15 vehicle charging system that utilizes alternating current  
16 electricity providing at least three kilowatts and means a  
17 system that:

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



1           (2) Meets recognized standards and protocols including,  
2                     but not limited to, Society of Automotive Engineers  
3                     (SAE) J1772™ of SAE International and Tesla protocol;  
4                     and

5           (3) Is designed and installed in compliance with article  
6                     625 of the National Electrical Code to appropriate  
7                     Nationally Recognized Testing Laboratories' standards.

8           "Applicant" means an individual; non-profit or for-profit  
9           corporation; local, state, or federal government agency;  
10           homeowner association; or any other eligible entity as defined  
11           under rules adopted for the electric vehicle charging system  
12           rebate program.

13           "Direct current fast charging system", commonly referred to  
14           as "DC fast charging system", means an electric vehicle charging  
15           system that utilizes direct current electricity providing forty  
16           kilowatts or greater and:

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

20           (2) Meets recognized standards and protocols, including,  
21                     but not limited to, Society of Automotive Engineers



1 (SAE) J1772™ of SAE International, Tesla protocol, and  
2 CHAdeMO protocol; and

3 (3) Is designed and installed in compliance with article  
4 625 of the National Electrical Code to appropriate  
5 Nationally Recognized Testing Laboratories' standards.

6 "Electric vehicle charging system" has the same meaning as  
7 Electric Vehicle Supply Equipment as defined in article 625.2 of  
8 the National Electrical Code, as amended."

9 SECTION 3. Section 269-73, Hawaii Revised Statutes, is  
10 amended by amending subsection (a) to read as follows:

11 "(a) The public utilities commission may contract with a  
12 third-party administrator to operate and manage any programs  
13 established under section 269-72. The administrator shall not  
14 be deemed to be a "governmental body" as defined in section  
15 103D-104; provided that all moneys transferred to the third-  
16 party administrator shall have been appropriated by the  
17 legislature or shall be from funds provided by the federal  
18 government or private funding sources. The administrator shall  
19 not expend more than [~~ten~~] fifteen per cent of the amounts  
20 appropriated for the rebate program or other reasonable  
21 percentage determined by the public utilities commission for



1 administration of the programs established under section 269-72.  
2 Program administration expenses may include marketing and  
3 outreach expenses to increase program participation, if needed."

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 on July 1, 2022.

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INTRODUCED BY:

A handwritten signature in black ink, appearing to be 'C. Am', is written over a horizontal line.

# S.B. NO. 2720

**Report Title:**

Electric Vehicle Charging Stations; Rebate; PUC

**Description:**

Allows for new electric vehicle charging stations having a single port to qualify for a rebate. Increases flexibility of the Public Utilities Commission to administer the electric vehicle charging station rebate program. Allows for marketing and outreach expense to be included within allowable administration costs of the electric vehicle charging station rebate program.

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