
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 also finds that meeting the
10 State's clean energy goals and commitments necessitates the
11 rapid 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 of
16 electric vehicles decrease. The legislature also notes that the
17 number of registered electric vehicles in Hawaii increased more



1 than thirty per cent during 2021, while the number of registered
2 gasoline-powered 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 widespread adoption. Many Hawaii residents, such as
7 renters and other residents living in apartment buildings and
8 other multi-family dwellings, lack access to electric vehicle
9 charging stations at home and at work because a vast majority of
10 parking facilities in the State lack electric vehicle charging
11 stations. In 2019, recognizing that a lack of charging
12 infrastructure remains a barrier to more widespread adoption of
13 electric vehicles, the legislature established an electric
14 vehicle charging system rebate program to incentivize the
15 installation of publicly available charging stations and
16 charging stations that serve multiple tenants, employees, or
17 customers, or electric vehicle fleets.

18 The legislature additionally finds that the continuation of
19 the electric vehicle charging system rebate program is a
20 critical component of the State's efforts to transition off of
21 fossil fuels and achieve a carbon-negative economy by 2045.



1 Furthermore, the program should work in tandem with, and not
2 duplicate, any available federal funding to further the goal of
3 expanding the network of electric vehicle charging systems in
4 the State. To ensure that the program is keeping pace with
5 market and technology changes, periodic program adjustments may
6 be needed from time to time. Flexibility in program
7 implementation can help ensure that the program is adequately
8 and sufficiently deploying rebates to priority locations in
9 furtherance of the State's clean energy and carbon reduction
10 goals, including in multi-family dwellings; at workplaces that
11 can support daytime charging; in parking facilities that can
12 support the visitor industry's transition to clean
13 transportation, such as at hotels and rental car facilities; and
14 in areas that will help to make the purchase of an electric
15 vehicle a choice for Hawaii's low and moderate-income working
16 families. Expanding rebate eligibility to a wider variety of
17 electric vehicle charging systems can increase program
18 participation and accelerate charging system deployment.

19 The purpose of this Act is to:

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



- 1 (2) Eliminate the annual cap on rebates, but provide that
- 2 rebates are subject to the availability of funds;
- 3 (3) Amend and add flexibility to the guidelines for
- 4 consideration by the public utilities commission in
- 5 administering the program;
- 6 (4) Increase the maximum percentage of rebate program
- 7 appropriations that may be expended for administrative
- 8 costs and allow for marketing and outreach expenses to
- 9 be included among allowable program administration
- 10 expenses; and
- 11 (5) Appropriate funds out of the electric vehicle charging
- 12 system subaccount for the electric vehicle charging
- 13 system rebate program.

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

16 " [{}§269-72 [{}] Electric vehicle charging system; rebate
 17 program. (a) The public utilities commission, in consultation
 18 with electric vehicle stakeholders and the Hawaii state energy
 19 office, shall administer a rebate program that incentivizes the
 20 installation or upgrade of an electric vehicle charging system,
 21 as provided in this section, and may contract with a third-party



1 administrator pursuant to section 269-73 to operate and manage
2 the rebate program.

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

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

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

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

11 (2) Upgrades an existing electric vehicle charging system
12 to either:

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

16 (B) A direct current fast charging system.

17 (c) Subject to subsection [~~(d)~~], (f), rebates shall be
18 distributed as follows:

19 (1) Each eligible installation of an electric vehicle
20 charging system shall receive:



1 (A) Up to \$2,000 for the installation of an
2 alternating current Level 2 station with one
3 port;

4 [-(A)] (B) Up to \$4,500 for the installation of an
5 alternating current Level 2 station with two or
6 more ports; and

7 [-(B)] (C) Up to \$35,000 for the installation of a
8 direct current fast charging system; and

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

11 (A) Up to \$1,300 for the upgrade to an alternating
12 current Level 2 station with one port;

13 [-(A)] (B) Up to \$3,000 for the upgrade to an
14 alternating current Level 2 station with two or
15 more ports; and

16 [-(B)] (C) Up to \$28,000 for the upgrade to a direct
17 current fast charging system.

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

21 -(e)] (d) The public utilities commission shall:



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

4 (2) Require each applicant to furnish reasonable
5 information to ascertain the validity of the claim,
6 including but not limited to documentation necessary
7 to demonstrate that the installation or upgrade for
8 which the rebate is claimed is eligible.

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

12 [~~g~~] (f) Applicants shall submit applications to the
13 public utilities commission within twelve months of the date
14 that the newly installed or upgraded charging system is placed
15 into service to claim a rebate from the electric vehicle
16 charging system rebate program. Failure to apply to the
17 commission within twelve months of the date that the newly
18 installed or upgraded charging system is placed into service
19 shall constitute a waiver of the right to claim the rebate.
20 Rebates shall be subject to available funds, and the program
21 administrator shall not approve additional rebates for the



1 remainder of the fiscal year after program funds have been fully
2 exhausted.

3 ~~[(h)]~~ (g) Nothing in this section shall alter taxes due on
4 the original purchase or upgrade price of an electric vehicle
5 charging system ~~[prior to]~~ before the application of the rebate.
6 Any rebate received pursuant to the electric vehicle charging
7 system rebate program shall not be considered income for the
8 purposes of state or county taxes.

9 ~~[(i)]~~ (h) In administering the electric vehicle charging
10 system rebate program, the public utilities commission shall
11 give consideration to the following guidelines:

12 (1) Priority should be given to electric vehicle charging
13 systems that are publicly available~~[r]~~; serve multiple
14 tenants, employees, or customers~~[, or]~~; serve electric
15 vehicle fleets; support the visitor industry in
16 transitioning to clean transportation; or serve low-
17 income, moderate-income, or environmental justice
18 communities;

19 (2) Electric vehicle charging system rebates should
20 enhance broader public clean energy and grid
21 resiliency goals by supporting deployment of electric



1 vehicle charging systems that can regulate their time
2 of use, be networked and co-optimized with other
3 electric vehicle charging systems, and otherwise
4 provide grid services or other benefits to the utility
5 and electric grid; [~~and~~]

6 (3) Electric vehicle charging systems that serve a single
7 person, such as a reserved parking stall or a single-
8 family residence, shall not be eligible for
9 rebates [~~-~~];

10 (4) Electric vehicle charging system rebates should
11 support accessibility of charging to as many electric
12 vehicle drivers as feasible; and

13 (5) The program administrator may propose new or modified
14 guidelines to be considered in addition to those
15 specified in this subsection and should have the
16 flexibility to make programmatic adjustments due to
17 market changes, technological advancements, and levels
18 of participation to ensure the prudent use of taxpayer
19 funds and to effectively manage the program budget.

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



1 "Alternating current Level 2 charging station", commonly
2 referred to as "Level 2 charging station", means an electric
3 vehicle charging system that utilizes alternating current
4 electricity providing at least three kilowatts and means a
5 system that:

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

9 (2) Meets recognized standards and protocols including,
10 but not limited to, Society of Automotive Engineers
11 (SAE) J1772™ of SAE International and Tesla protocol;
12 and

13 (3) Is designed and installed in compliance with article
14 625 of the National Electrical Code to appropriate
15 Nationally Recognized Testing Laboratories' standards.

16 "Applicant" means an individual; non-profit or for-profit
17 corporation; local, state, or federal government agency;
18 homeowner association; or any other eligible entity as defined
19 under rules adopted for the electric vehicle charging system
20 rebate program.



1 "Direct current fast charging system", commonly referred to
2 as "DC fast charging system", means an electric vehicle charging
3 system that utilizes direct current electricity providing forty
4 kilowatts or greater and:

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 and protocols, including,
9 but not limited to, Society of Automotive Engineers
10 (SAE) J1772™ of SAE International, Tesla protocol, and
11 CHAdeMO protocol; and

12 (3) Is designed and installed in compliance with article
13 625 of the National Electrical Code to appropriate
14 Nationally Recognized Testing Laboratories' standards.

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

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

20 "(a) The public utilities commission may contract with a
21 third-party administrator to operate and manage any programs



1 established under section 269-72. The administrator shall not
2 be deemed to be a "governmental body" as defined in section
3 103D-104; provided that all moneys transferred to the third-
4 party administrator shall have been appropriated by the
5 legislature or shall be from funds provided by the federal
6 government or private funding sources. The administrator shall
7 not expend more than [~~ten~~] fifteen per cent of the amounts
8 appropriated for the rebate program or other reasonable
9 percentage determined by the public utilities commission for
10 administration of the programs established under section
11 269-72[-]; provided that program administration expenses may
12 include marketing and outreach expenses to increase program
13 participation, if needed; provided further that not more than
14 ten per cent of the amounts appropriated for the rebate program
15 may be expended on non-marketing and outreach programs or
16 administration of the program."

17 SECTION 4. Act 75, Session Laws of Hawaii 2021, is amended
18 as follows:

19 1. By amending section 5 to read:

20 "SECTION 5. There is appropriated out of the electric
21 vehicle charging system subaccount within the public utilities



1 commission special fund the sum of [~~\$100,000~~] \$500,000 or so
2 much thereof as may be necessary for fiscal year 2021-2022 for
3 the electric vehicle charging system rebate program established
4 pursuant to sections 269-72 and 269-73, Hawaii Revised Statutes.

5 The sum appropriated shall be expended by the public
6 utilities commission for the purposes of this part."

7 2. By amending section 12 to read:

8 "SECTION 12. This Act shall take effect on July 1, 2021[-],
9 provided that the moneys appropriated in section 5 shall not
10 lapse at the end of the fiscal year for which the appropriation
11 is made; provided further that all amounts from the
12 appropriation that are unexpended or unencumbered as of June 30,
13 2024, shall lapse as of that date."

14 SECTION 5. There is appropriated out of the electric
15 vehicle charging system subaccount within the public utilities
16 commission special fund the sum of \$1,000,000 or so much thereof
17 as may be necessary for fiscal year 2022-2023 for the electric
18 vehicle charging system rebate program established pursuant to
19 sections 269-72 and 269-73, Hawaii Revised Statutes.

20 The sum appropriated shall be expended by the public
21 utilities commission for the purposes of this Act.



1 SECTION 6. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 7. This Act shall take effect on June 30, 2022.



Report Title:

Electric Vehicle Charging Stations; Rebate; Public Utilities Commission; Appropriation

Description:

Allows new electric vehicle charging stations and certain upgrades having a single port to qualify for a rebate. Removes the \$500,000 cap on the electric vehicle charging station rebate program. Specifies that no rebates shall be approved after available funds are exhausted for the fiscal year. Increases flexibility of the Public Utilities Commission to administer the electric vehicle charging station rebate program. Increases the percentage of funds that the Public Utilities Commission may use for administration of the rebate program. Allows for marketing and outreach expenses to be included within allowable administration costs of the electric vehicle charging station rebate program. Appropriates funds out of the electric vehicle charging system subaccount for the electric vehicle charging system rebate program. (CD1)

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