
A BILL FOR AN ACT

RELATING TO RENEWABLE ENERGY.

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

1 SECTION 1. The legislature finds that Act 97, Session Laws
2 of Hawaii 2015, requires electric utilities in the State to
3 achieve a one hundred per cent renewable portfolio standard by
4 December 31, 2045, to transition the State away from imported
5 fossil fuels and toward locally available renewable energy
6 sources.

7 The legislature further finds that to encourage the timely
8 build-out of a diverse, resilient, and reliable portfolio of
9 low-cost renewable energy generation and storage assets, Hawaii
10 must lower the administrative barriers that constrain deployment
11 of residential and commercial-scale distributed energy
12 resources.

13 The legislature further finds that the permitting review
14 process currently adds substantial time and cost to the adoption
15 of residential solar and energy storage projects and that self-
16 certification by duly licensed design professionals can



1 significantly reduce this time, cost, and administrative burden
2 without sacrificing public health and safety.

3 The purpose of this Act is to reduce administrative
4 barriers to the deployment of energy generation and storage
5 technology systems by requiring certain government entities in
6 the State to implement permit self-certification and
7 streamlined, common-sense permitting processes, thereby ensuring
8 efficient, standardized permitting and inspection for
9 behind-the-meter, customer-sited solar distributed energy
10 resource systems.

11 SECTION 2. Chapter 196, Hawaii Revised Statutes, is
12 amended by adding two new sections to be appropriately
13 designated and to read as follows:

14 "§196- Self-certification; solar projects; energy
15 storage projects. (a) By _____, each government entity in
16 the State that issues building permits shall establish an
17 efficient and standardized self-certification process for
18 behind-the-meter, customer-sited solar distributed energy
19 resource systems that deems permit applications approved and
20 allows applicants to proceed to build the solar distributed
21 energy resource system immediately; provided that:



- 1 (1) The solar distributed energy resource system project
- 2 is not located on a property within a special flood
- 3 hazard area as identified on Federal Emergency
- 4 Management Agency's current Flood Insurance Rate Maps;
- 5 and
- 6 (2) The government entity receives from the project owner
- 7 or agent of the project owner:
- 8 (A) A copy of any written notification prepared by
- 9 the appropriate government entity, in response to
- 10 a request for determination from the project
- 11 owner or agent of the project owner, that the
- 12 proposed project is not required to comply with
- 13 federal, state, or county floodplain management
- 14 development standards, ordinances, codes,
- 15 statutes, rules, or regulations pursuant to the
- 16 requirements of the National Flood Insurance
- 17 Program;
- 18 (B) A request for issuance of the permit that
- 19 includes a statement that the owner or agent of
- 20 the owner is prepared to pay any required fees;
- 21 and



1 (C) Proof of a valid license in the respective field
2 for any professional installing the project and
3 confirmation that the installation of the project
4 will comply with all applicable codes and laws.

5 (b) The self-certification process shall allow a project's
6 relevant professionals to conduct permit reviews and inspections
7 using commercially available software and the professionals'
8 approvals shall be accepted without additional documentation;
9 provided that the submitted documentation demonstrates
10 compliance with all applicable codes and laws. In addition, the
11 self-certification process shall allow a project's relevant
12 design professionals to utilize offline field reports for
13 inspections to ensure faster reviews without added cost or
14 delays.

15 (c) If the requirements of subsection (a) and (b) are
16 satisfied, the applicable government entity in the State that
17 issues building permits shall issue the building permit number
18 and close the permit within thirty days after the date that the
19 application was submitted.

20 (d) As used in this section:



1 "Offline field report" means a report that uses photos and
2 videos taken of the project on site and submitted to a
3 permitting authority to allow inspection remotely and
4 asynchronously.

5 "Solar distributed energy resource system" means an
6 assembly of solar energy-generating or energy-storing materials,
7 or any combined assembly of solar energy-generating and energy-
8 storing materials, and the related infrastructure necessary for
9 its operation.

10 **§196- Solar distributed energy resource systems;**
11 **No-Rise/No-Impact declaration requirements.** (a) Any government
12 entity in the State that issues building permits shall exempt
13 behind-the-meter, customer-sited solar distributed energy
14 resource systems from the Federal Emergency Management Agency's
15 No-Rise/No-Impact declaration requirements; provided that the
16 project is not located within a regulatory floodway as
17 identified on the Federal Emergency Management Agency's current
18 Flood Insurance Rate Maps.

19 (b) Each government entity in the State that issues
20 building permits shall develop Federal Emergency Management
21 Agency-accepted guidance for determining specific conditions



1 when a No-Rise Certification is not required for a solar
2 distributed energy resource system located in a regulatory
3 floodway as identified on the Federal Emergency Management
4 Agency's current Flood Insurance Rate Maps.

5 (c) Notwithstanding subsections (a) and (b), the project
6 owner or agent of the project owner shall:

7 (1) Comply with all applicable codes and laws;

8 (2) Properly install the system on an already existing
9 structure; and

10 (3) Not create additional obstruction within the
11 regulatory floodway."

12 SECTION 3. New statutory material is underscored.

13 SECTION 4. This Act shall take effect on July 1, 2025.



Report Title:

Solar Distributed Energy Resource Systems; Permitting Self-Certification; FEMA Flood Zone No-Rise/No Impact Declaration Requirements

Description:

Authorizes certain state government entities to establish a self-certification process for behind-the-meter, customer-sited solar distributed energy resource systems and exempt the systems from the Federal Emergency Management Agency No-Rise/No-Impact declaration requirements under certain circumstances. (SD1)

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