
A BILL FOR AN ACT

RELATING TO A CLEAN FUEL STANDARD.

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

1 SECTION 1. The legislature finds that by creating a clean
2 fuel standard that rewards environmental performance, the State
3 will incentivize investment and job creation in various sectors,
4 including agriculture, construction, energy, forestry, landscape
5 restoration, transportation, and waste management. A clean fuel
6 standard can create new markets for what is usually considered
7 waste, including but not limited to municipal solid waste,
8 construction and demolition debris, used cooking oil from food
9 processing, agricultural and forestry residuals, industrial
10 emissions, invasive species biomass from landscape restoration
11 projects, and renewable electricity. Furthermore, the demand
12 created for alternative fuels and cleaner forms of mobility
13 under a clean fuel standard will not only help reduce greenhouse
14 gas emissions but may also have a co-benefit of reducing air
15 pollution, thereby improving the health of citizens of the
16 State.



1 The legislature further finds that transportation is the
2 State's largest source of lifecycle greenhouse gas emissions and
3 that the tourism industry is the State's largest economic driver
4 and biggest transportation sector consumer.

5 The legislature additionally finds that better management
6 of waste and resources is critical to environmental stewardship
7 and a clean fuel standard is central to reducing lifecycle
8 greenhouse gas emissions while also protecting the State's
9 economic competitiveness, public health, and the environment.
10 To prompt the use of clean fuels and zero-emission vehicles,
11 other states like California, Oregon, and Washington have
12 successfully implemented programs that reduce the carbon
13 intensity of their transportation fuels.

14 The legislature also finds that without policies specific
15 to the transportation sector, emissions will not be reduced in a
16 timeframe consistent with the State's goals. Therefore, a clean
17 fuel standard that is technology-neutral and market-based is an
18 effective policy for reducing emissions in the transportation
19 sector while also achieving other co-benefits.

20 It is the intent of the legislature to support the
21 deployment of clean transportation fuel technologies through a



1 carefully designed program that reduces the carbon intensity of
2 fuel used in the State to:

- 3 (1) Reduce lifecycle greenhouse gas emissions;
- 4 (2) Stimulate the local, state, and regional economies,
5 thereby providing economic development;
- 6 (3) Promote public and environmental health by increasing
7 sustainability and encouraging a circular economy and
8 landscape restoration activities; and
- 9 (4) Support existing jobs in the clean fuel industry and
10 create new jobs in new innovative clean fuel
11 technologies.

12 In 2025, the department of transportation began an
13 independent analysis of the best estimated range of probable
14 costs or cost savings attributable to the clean fuels program
15 per gallon of gasoline, per gallon of diesel, and per kilowatt
16 of electricity, based on existing programs, covering each year
17 of the program projected through 2045. The analysis is to be
18 informed by input from regulated industries and experience in
19 jurisdictions that have adopted similar clean fuels policies.

20 Accordingly, the purpose of this Act is to require the
21 department of transportation to adopt rules by January 1, 2028,



1 establishing a clean fuel standard for alternative fuels in the
2 State.

3 SECTION 2. (a) No later than January 1, 2028, the
4 department of transportation shall adopt rules pursuant to
5 chapter 91, Hawaii Revised Statutes, governing a clean fuel
6 standard for alternative fuels in the State. The rules shall
7 include:

- 8 (1) A schedule to phase in the implementation of the clean
9 fuel standard for alternative fuels in a manner that
10 reduces the average carbon intensity at a rate to
11 enable the State to achieve the targets in sections
12 225P-5, 225P-7, and 225P-8, Hawaii Revised Statutes,
13 as quickly as possible, but beginning with targets no
14 less than ten per cent below 2019 levels by 2035 and
15 no less than fifty per cent below 2019 levels by 2045,
16 including the establishment of annual carbon intensity
17 standards for alternative fuels;
- 18 (2) An implementation date for the clean fuel standard for
19 diesel and gasoline beginning January 1, 2029;
- 20 (3) Standards for measuring lifecycle greenhouse gas
21 emissions using the most recently updated version of



- 1 the Argonne National Lab's GREET model attributable to
2 the production and use of diesel, gasoline, and other
3 alternative fuels throughout their lifecycles,
4 including feedstock production or extraction, fuel
5 production, and the transportation of raw materials
6 and finished fuels;
- 7 (4) A mechanism by which alternative fuel that has a
8 carbon intensity below the annual carbon intensity
9 standard is used within the State to generate a
10 credit;
- 11 (5) A mechanism to adjust the carbon intensity of
12 alternative fuel when the alternative fuel is used in
13 a powertrain that is not equal in efficiency to that
14 of the reference fuel and drivetrain combination;
- 15 (6) A mechanism by which diesel or gasoline that has a
16 carbon intensity above the annual carbon intensity
17 standard would generate a deficit;
- 18 (7) A mechanism by which an alternative fuel that has a
19 carbon intensity above the annual carbon intensity
20 standard would generate a deficit;



- 1 (8) A mechanism that requires diesel, gasoline, or other
2 alternative fuel that is sold, supplied, or dispensed
3 for consumption within the State to retire any
4 associated credit or debit;
- 5 (9) Exemptions for diesel, gasoline, or other fuels used
6 by aircraft, railroad locomotives, military vehicles,
7 and interstate waterborne vessels;
- 8 (10) Procedures for verifying credits and deficits
9 generated under the clean fuel standard; and
- 10 (11) A requirement that the department of transportation
11 shall use the most recently updated version of Argonne
12 National Lab's GREET model, or its successor model,
13 and shall update its lifecycle analysis methodology at
14 least biennially or triennially by rule.
- 15 (b) The department of transportation may adopt rules
16 pursuant to chapter 91, Hawaii Revised Statutes, that include:
- 17 (1) A cost containment mechanism designed to allow for
18 sufficient compliance flexibility and maximum
19 greenhouse gas reductions;
- 20 (2) Mechanisms whereby an electric utility or an energy
21 producer can generate credits for electricity for



- 1 gaseous fuels used in transportation; provided that
2 the department of transportation shall develop these
3 mechanisms based on best practices in use in other
4 states and in consultation with industry stakeholders;
- 5 (3) Mechanisms whereby exempt end-uses, such as aviation,
6 marine, rail, and military, can opt in to the clean
7 fuel standard to generate credits when using
8 alternative fuel;
- 9 (4) Mechanisms whereby alternative fuel users can opt in
10 to the clean fuel standard to generate credits when it
11 displaces the combustion of gasoline or diesel in off-
12 road, heating, cooling, and temporary power
13 generation;
- 14 (5) A schedule to phase in the implementation of the
15 standards for alternative fuels that have achieved a
16 predominant market share and have an average carbon
17 intensity that exceeds the annual diesel or gasoline
18 carbon intensity standard;
- 19 (6) A mechanism through which electric utilities and
20 public agencies direct at least fifty per cent of
21 their overall credit value to electrified



- 1 transportation programs, projects, or investments to
2 directly benefit overburdened or underserved
3 populations;
- 4 (7) Any standards, specifications, testing requirements,
5 and other measures as needed to ensure the quality of
6 gasoline, diesel, and alternative fuels used in
7 accordance with the clean fuel standard;
- 8 (8) Consultation and coordination with other jurisdictions
9 implementing clean fuel standard programs to promote
10 best practices and administrative efficiency;
- 11 (9) A method to utilize the carbon intensity pathways
12 already approved in other states like California,
13 Oregon, and Washington to reduce the burden of
14 administering and certifying the carbon intensity of
15 transportation fuels in the clean fuel standard;
- 16 (10) Mechanisms that allow credits to be traded and to be
17 banked for future compliance periods; and
- 18 (11) Exemptions for diesel, gasoline, and alternative fuels
19 that are used in volumes below thresholds established
20 by the department of transportation.



1 (c) Within two years following the adoption of a clean
2 fuel standard for alternative fuels and biennially thereafter,
3 the department of transportation shall submit a report to the
4 legislature no later than twenty days prior to the convening of
5 each regular session. The report shall include but not be
6 limited to:

- 7 (1) Implementation status;
- 8 (2) Program effectiveness, including emissions reduction
9 data;
- 10 (3) Market impacts and credit activity;
- 11 (4) Anticipated program modifications or expansion; and
- 12 (5) Any recommended statutory changes.

13 (d) Within one year following the adoption of a clean fuel
14 standard for alternative fuels and biennially thereafter, the
15 department of transportation shall conduct public informational
16 sessions in each county to provide updates on the implementation
17 and performance of the clean fuel standard on alternative fuels;
18 provided that the department may supplement in-person sessions
19 with virtual engagement opportunities.

20 (e) For any substantive rule amendments or expansion of
21 the clean fuel standard for alternative fuels adopted on or



1 after January 1, 2028, the department shall conduct at least one
2 public informational session in each county, including virtual
3 participation options, no less than one hundred twenty days
4 prior to the effective date of the rule or expansion.

5 (f) For the purposes of this section:

6 "Alternative fuel" means any fuel that is not fossil fuel-
7 based and is used for transportation purposes.

8 "Carbon intensity" means the quantity of lifecycle
9 greenhouse gas emissions per unit of fuel energy, expressed in
10 grams of carbon dioxide equivalent per megajoule.

11 "Clean fuel standard" means standards for the reduction of
12 greenhouse gas emissions, on average, per unit of fuel energy.

13 "Greenhouse gas" means carbon dioxide, methane, nitrous
14 oxide, hydrofluorocarbons, perfluorocarbons, sulfur
15 hexafluoride, and other gases designated by the department of
16 transportation or the Hawaii state energy office by rule, in
17 consultation with the department of health; provided that
18 consultation with the department of health shall not limit,
19 transfer, or supersede the rulemaking authority of the
20 department of transportation or Hawaii state energy office.



1 SECTION 3. This Act shall take effect on July 1, 3000.



Report Title:

Clean Fuel Standard; Alternative Fuels; Rules; Department of Transportation

Description:

Requires the Department of Transportation to adopt rules by 1/1/2028 governing a clean fuel standard for alternative fuels in the State. Requires reporting and public informational session requirements. Effective 7/1/3000. (HD2)

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