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## A BILL FOR AN ACT

RELATING TO VERTICAL AXIS WIND TURBINES.

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

1           SECTION 1. Chapter 46, Hawaii Revised Statutes, is amended  
2 by adding a new section to be appropriately designated and to  
3 read as follows:

4           "§46-    Vertical axis wind turbines; residential areas.

5           (a) No county shall adopt any ordinance or rule that prohibits  
6 the construction or installation of any vertical axis wind  
7 turbine in any area zoned residential; provided that the  
8 vertical axis wind turbine does not:

9           (1) Exceed twenty-five feet in height;

10          (2) Have a rated power output greater than two kilowatts;

11                   and

12          (3) Emit a noise level greater than fifteen decibels.

13          For the purposes of this section, "vertical axis wind  
14 turbine" means any equipment or apparatus that is designed to  
15 convert wind energy to useful electrical energy for heating,  
16 cooling, or reducing the use of other types of energy, and which  
17 utilizes a turbine system in which the main shaft runs  
18 vertically.



1        (b) Any ordinance or rule that conflicts with this section  
2 shall be void as against public policy."

3        SECTION 2. New statutory material is underscored.

4        SECTION 3. This Act shall take effect upon its approval.

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JAN 22 2008



**Report Title:**

Counties; Vertical Axis Wind Turbines

**Description:**

Prohibits any county from prohibiting the installation of vertical axis wind turbines in any area zoned residential, where the vertical axis wind turbines meet certain size, output, and noise restrictions.

