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# A BILL FOR AN ACT

RELATING TO THE ENVIRONMENT.

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

1           SECTION 1. The legislature finds that the State of Hawaii  
2 has made significant progress in implementing policy to reduce  
3 the use of fossil fuels for energy generation. However, more  
4 than two-thirds of the fossil fuel imported into the State is  
5 used for transportation, which is not included in Hawaii's one  
6 hundred per cent renewable energy policy. Therefore, the  
7 legislature finds that the State must accelerate a transition to  
8 cleaner transportation to reach its carbon emissions reduction  
9 goals.

10           Although the cost of electric vehicles has decreased and  
11 continues to drop, the lack of electric vehicle charging systems  
12 remains a barrier to the more widespread adoption of electric  
13 vehicles. Creating incentives to build out a more robust  
14 electric vehicle infrastructure will make electric vehicles a  
15 viable option for more consumers, especially those who may not  
16 have a rooftop solar system that allows them to charge their  
17 electric vehicles at home at a lower cost.



1 The purpose of this Act is to:

2 (1) Create a program to be administered by the public  
3 utilities commission that offers rebates for the  
4 installation of new electric vehicle charging systems  
5 or the upgrade of existing electric vehicle charging  
6 systems, to be funded by a newly established electric  
7 vehicle charging system rebate program special fund;  
8 and

9 (2) Amend the uses for which funds from the energy  
10 security special fund may be used.

11 SECTION 2. Chapter 269, Hawaii Revised Statutes, is  
12 amended by adding two new sections to be appropriately  
13 designated and to read as follows:

14 "§269-A Electric vehicle charging system; rebate program;  
15 special fund. (a) The public utilities commission, in  
16 consultation with electric vehicle stakeholders and the state  
17 energy office, shall administer a rebate program that  
18 incentivizes the installation or upgrade of an electric vehicle  
19 charging system, as provided in this section, and may contract  
20 with a third-party administrator pursuant to section 269-B to  
21 operate and manage the rebate program.



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

3        (1) Installs a new electric vehicle charging system where  
4 none previously existed; or

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

7        (A) A level two station with two or more ports that  
8 provide electricity to two or more electric  
9 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) \_\_\_\_\_ per cent of the cost of the installation of  
16 a level two station with a single port; provided  
17 that the amount of the rebate shall not exceed  
18 \$ \_\_\_\_\_ ;

19       (B) \_\_\_\_\_ per cent of the cost of the installation of  
20 a level two station with two or more ports;



1                   provided that the amount of the rebate shall not  
2                   exceed \$ \_\_\_\_\_ ; and

3                   (C) \_\_\_\_\_ per cent of the cost of the installation of  
4                   a direct current fast charging system; provided  
5                   that the amount of the rebate shall not exceed  
6                   \$ \_\_\_\_\_ ; and

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

9                   (A) \_\_\_\_\_ per cent of the cost of the installation to  
10                   a level two station with two or more ports; and  
11                   provided that the amount of the rebate shall not  
12                   exceed \$ \_\_\_\_\_ ; and

13                   (B) \_\_\_\_\_ per cent of the cost of the upgrade to a  
14                   direct current fast charging system; provided  
15                   that the amount of the rebate shall not exceed  
16                   \$ \_\_\_\_\_ .

17                   (d) The public utilities commission shall not issue more  
18                   than \$1,000,000 in total rebates under this section each fiscal  
19                   year.

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

8        (3) Post on a publicly available website, within regular  
9        and reasonable periods of time, the current amounts  
10       remaining in the electric vehicle charging system  
11       special fund.

12       (f) This section shall apply to electric vehicle charging  
13       systems that are installed or upgraded after December 31, 2019.

14       (g) Applicants shall submit applications to the public  
15       utilities commission within twelve months of the date that the  
16       newly installed or upgraded charging system is placed into  
17       service to claim a rebate from the electric vehicle charging  
18       system rebate program. Failure to apply to the commission  
19       within twelve months of the date that the newly installed or  
20       upgraded charging system is placed into service shall constitute  
21       a waiver of the right to claim the rebate.



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

7        (i) There is established within the state treasury the  
8 electric vehicle charging system rebate program special fund,  
9 into which shall be deposited:

10        (1) Appropriations from the legislature; and

11        (2) All interest attributable to investment of money  
12        deposited into the fund.

13        (j) Moneys in the electric vehicle charging system rebate  
14 program special fund shall be used to:

15        (1) Make rebate program payments pursuant to this section;

16        (2) Pay the administrative costs for operating the  
17        electric vehicle charging system rebate program; and

18        (3) Pay the administrative costs for operating the  
19        electric vehicle charging system rebate program  
20        special fund.



1        (k) In administering the electric vehicle charging system  
2 rebate program, the public utilities commission shall give  
3 consideration to the following guidelines:

4        (1) Priority should be given to electric vehicle charging  
5 systems that are publicly available, serve multiple  
6 tenants, employees, or customers, or serve electric  
7 vehicle fleets;

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 single-  
18 family residence, should not be eligible for rebates.

19        (1) As used in this section:

20        "Applicant" means an individual; non-profit or for-profit  
21 corporation; local, state or federal government agency;



1 homeowner association; or any other eligible entity as defined  
2 under rules adopted for the electric vehicle charging system  
3 rebate program.

4 "Direct current fast charging system", commonly referred to  
5 as "DC fast charging system", means an electric vehicle charging  
6 system that utilizes direct current electricity rated at 440  
7 volts or greater.

8 "Electric vehicle charging system" has the same meaning as  
9 in section 196-7.5.

10 "Level two station" means an electric vehicle charging  
11 system that:

12 (1) Discharges 220 to 240 volt alternating current  
13 electricity; and

14 (2) Meets recognized standards, including standard SAE  
15 J1772 of SAE International.

16 **§269-B Electric vehicle charging system; rebate program;**  
17 **administrator; establishment.** (a) The public utilities

18 commission may contract with a third-party administrator to  
19 operate and manage any programs established under section 269-A.

20 The administrator shall not be deemed to be a "governmental  
21 body" as defined in section 103D-104; provided that all moneys





1 transferred to the third-party administrator shall be solely  
 2 from the electric vehicle charging system rebate program special  
 3 fund or from funds provided by the federal government or private  
 4 funding sources. The administrator shall not expend more than  
 5 ten per cent of the total annual electric vehicle charging  
 6 system rebate program special fund distribution in any fiscal  
 7 year, or other reasonable percentage determined by the public  
 8 utilities commission, for administration of the programs  
 9 established under section 269-A.

10 (b) The electric vehicle charging system rebate program  
 11 administrator shall be subject to regulation by the public  
 12 utilities commission under any provision applicable to a public  
 13 utility in sections 269-7, 269-8, 269-8.2, 269-8.5, 269-9,  
 14 269-10, 269-13, 269-15, 269-19.5, and 269-28, and shall report  
 15 to the public utilities commission on a regular basis.

16 Notwithstanding any other provision of law to the contrary, the  
 17 electric vehicle charging system rebate program administrator  
 18 shall not be an electric public utility or an electric public  
 19 utility affiliate."

20 SECTION 3. Section 201-12.8, Hawaii Revised Statutes, is  
 21 amended by amending subsection (b) to read as follows:



1           (b) Subject to legislative appropriation, moneys from the  
2 fund may be expended by the department of business, economic  
3 development, and tourism for the following purposes and used for  
4 no other purposes, except for those set forth in this section:

5           (1) To support the Hawaii clean energy initiative  
6 program [~~, including its energy division, including~~  
7 ~~funding staff positions within the division,~~] and  
8 projects that ensure dependable, efficient, and  
9 economical energy, promote energy self-sufficiency,  
10 resiliency, and provide greater energy security for  
11 the State;

12 [~~(2) To fund the renewable energy facilitator pursuant to~~  
13 ~~section 201-12.5 and any other positions necessary for~~  
14 ~~the purposes of paragraph (1) as determined by the~~  
15 ~~legislature; and~~

16 ~~(3)]~~ (2) To support achieving the zero emissions clean  
17 energy target set forth in section 225P-5;

18 (3) To fund the building energy efficiency revolving loan  
19 fund established in section 201-20;

20 (4) To fund incentives to promote the adoption of electric  
21 vehicles, to develop electric vehicle charging



1 infrastructure, and to upgrade electrical  
2 infrastructure to support the development of electric  
3 vehicle charging infrastructure;

4 (5) To fund, to the extent possible, the greenhouse gas  
5 emissions reduction task force, climate change task  
6 force, [~~grants in aid to the economic development~~  
7 ~~boards of each county, and grants in aid to economic~~  
8 ~~development agencies of each county to meet the stated~~  
9 ~~objectives of the Hawaii clean energy initiative~~  
10 ~~program.] and programs to increase the resiliency of~~  
11 public facilities through renewable energy systems;

12 and

13 (6) To fund, to the extent possible, the duties of the  
14 state building code council in section 107-24, as they  
15 relate to the development of energy conservation  
16 codes."

17 SECTION 4. There is appropriated out of the electric  
18 vehicle charging system rebate program special fund the sum of  
19 \$ or so much thereof as may be necessary for fiscal  
20 year 2019-2020 and the same sum or so much thereof as may be



1 necessary for fiscal year 2020-2021 for the purposes authorized  
2 in section 2 of this Act.

3 The sums appropriated shall be expended by the public  
4 utilities commission for the purposes of this Act.

5 SECTION 5. Statutory material to be repealed is bracketed  
6 and stricken. New statutory material is underscored.

7 SECTION 6. This Act shall take effect on July 1, 2100.



**Report Title:**

Electric Vehicles; Charging System; Rebate Program;  
Establishment; Special Fund; Public Utilities Commission; Energy  
Security Special Fund; Appropriations

**Description:**

Requires the public utilities commission to provide rebates to persons who install a new electric vehicle charging system or upgrade an existing electric vehicle charging system. Establishes the electric vehicle charging system rebate program administrator. Creates, and appropriates moneys out of, the electric vehicle charging system rebate program special fund. Amends the uses for which funds from the energy security special fund may be used. Effective 7/1/2100. (SD1)

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