
A BILL FOR AN ACT

RELATING TO CARBON OFFSETS.

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

1 SECTION 1. The legislature finds that climate change is
2 the most pressing issue of our time. There are many
3 contributors to climate change, and transportation-generated
4 greenhouse gas emissions are a significant contributor. The
5 legislature acknowledges that, within the transportation sector,
6 the air transportation component faces particularly difficult
7 technical challenges in reducing carbon dioxide emissions
8 associated with air travel. Since air travel is essential to
9 tourism, the legislature finds that air travel and its
10 associated carbon emissions will remain key elements of Hawaii's
11 intertwined economy and climate for the foreseeable future.

12 In the past few years, the United Nations has established
13 an extensive framework for the provision of carbon offsets for
14 carbon emissions resulting from international air travel, known
15 as the carbon offsetting and reduction scheme for international
16 aviation. A pilot phase for this program is scheduled for 2021.
17 However, the carbon offsetting and reduction scheme for



1 international aviation will not apply to air travel to Hawaii
2 from the continental United States.

3 The legislature further finds that, for essential
4 activities, including air travel, that are, at least in the
5 near term, intractably resistant to technological solutions to
6 carbon emission reductions, the use of carbon offsets to
7 compensate for those emissions is a strategic necessity for
8 achieving the zero emission clean economy target set for the
9 State by Act 15, Session Laws of Hawaii 2018.

10 The legislature recognizes that air travelers are
11 increasingly aware of the climate change implications of their
12 travel. The legislature believes that due to this awareness,
13 many travelers will take advantage of a program that provides
14 for the voluntary purchase of carbon offsets. The legislature
15 additionally finds that the ease of purchasing offsets may have
16 the effect of enhancing the desirability of travel to Hawaii.

17 Accordingly, the purpose of this Act is to provide a
18 process by which the department of transportation shall assist
19 persons traveling by air to or from airports in Hawaii in the
20 purchase of verifiable carbon offsets to compensate for carbon
21 dioxide emissions from air travel.



1 SECTION 2. Chapter 261, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 **"§261- Air travel carbon offset purchase. (a)**

5 Pursuant to its authority under section 261-4, the department
6 shall facilitate the voluntary purchase of verified carbon
7 offsets by persons engaging in qualified air travel to or from
8 an airport in the State. To effectuate this purpose, the
9 department:

- 10 (1) Shall establish a process to receive requests from
11 persons who will be engaging in, or have recently
12 engaged in, qualified air travel to or from an airport
13 in the State for assistance in voluntarily purchasing
14 a verified carbon offset;
- 15 (2) Shall use reasonable best efforts to facilitate the
16 requestor's connection with a provider of verified
17 carbon offsets from whom the requestor may purchase a
18 verified carbon offset;
- 19 (3) Shall have personnel available at one or more kiosks
20 in each airport in the State, during those times when
21 incoming or outgoing flights are occurring, in highly



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1 visible locations at which the services described in
2 paragraphs (1) and (2) shall be provided;

3 (4) Shall place information on the department's website
4 describing the processes established pursuant to this
5 subsection, including interactive capability by which
6 air travelers may arrange for the online purchase of
7 verified carbon offsets;

8 (5) Shall encourage airlines using airports in the State
9 to provide links on the airlines' respective websites
10 to the department's webpage concerning carbon offsets
11 for air travel;

12 (6) Shall maintain a list of public and private entities
13 that provide verified carbon offsets for passenger air
14 travel; and

15 (7) May contract with other entities to conduct one or
16 more of the duties described in paragraphs (1) through
17 (6).

18 (b) For the purposes of this section:

19 "Qualified air travel" means any air travel regulated under
20 this chapter that occurs between an airport in the State and any



1 other airport in the United States, including other airports in
2 the State.

3 "Verified" means, with respect to a carbon offset, a
4 reduction in carbon dioxide, or carbon dioxide-equivalent amount
5 of other greenhouse gases, that is determined to be real,
6 permanent, and unlikely to occur in the absence of an offset
7 program, through a process of validation and verification by an
8 independent third party."

9 SECTION 3. Section 261-1, Hawaii Revised Statutes, is
10 amended by adding a new definition to be appropriately inserted
11 and to read as follows:

12 "Carbon offset" means a reduction in carbon dioxide or
13 other greenhouse gases in, or emitted into, the atmosphere that
14 is achieved by or on behalf of a person to compensate, in a
15 carbon dioxide-equivalent amount, for the emissions of carbon
16 dioxide resulting from air travel by the person to or from an
17 airport in the State. "Carbon offset" includes an action that
18 removes greenhouse gases from the atmosphere or that reduces
19 future greenhouse gas emissions."

20 SECTION 4. Section 261-4, Hawaii Revised Statutes, is
21 amended by amending subsection (a) to read as follows:



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1 "(a) Establishment, operation, maintenance. The
2 department [~~of transportation~~] may, on behalf of and in the name
3 of the State, out of appropriations and other moneys available
4 or made available for [~~such~~] these purposes, plan, acquire,
5 establish, construct, enlarge, improve, maintain, equip,
6 install, operate, regulate, and protect, airports, air
7 navigation facilities, buildings, and other facilities to
8 provide for the servicing of aircraft; [~~to~~] provide for the
9 comfort, accommodation, and convenience of air travelers[+],
10 which may include but is not limited to the provision of
11 assistance to air travelers who wish to purchase carbon offsets
12 for carbon dioxide emissions resulting from the traveler's
13 respective air travel to or from an airport in the State; and
14 [~~to~~] protect against airport hazards."

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

17 SECTION 6. This Act shall take effect upon its approval.

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INTRODUCED BY: 
JAN 26 2021



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Report Title:

DOT; Air Travel; Verified Carbon Offsets; Qualified Air Travel

Description:

Establishes procedures for the department of transportation to assist and enable a person to voluntarily purchase a verified carbon offset for carbon dioxide emissions resulting from the person's air travel to or from an airport in the State.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

