

JAN 22 2021

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 Hawai'i'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 carbon offsetting and reduction scheme for international
16 aviation (CORSIA). A pilot phase for this program is scheduled



1 for 2021. CORSIA, however, will not apply to air travel to
2 Hawai'i from the continental United States.

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

10 The purpose of this Act is to provide a process by which
11 the department of transportation shall assist persons traveling
12 by air to or from airports in Hawai'i in the purchase of
13 verifiable carbon offsets to compensate for carbon dioxide
14 emissions from air travel. While this Act relies on the
15 voluntary purchase of carbon offsets by air travelers from
16 providers of such offsets, the legislature anticipates that many
17 travelers will take advantage of the program, given the
18 increasing awareness by air travelers of the climate change
19 implications of their travel. The legislature additionally
20 finds that the ease of purchasing offsets may have the effect of
21 enhancing the desirability of travel to Hawai'i.



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) Pursuant
5 to its authority under section 261-4, the department shall
6 utilize the following procedures to facilitate the voluntary
7 purchase of verified carbon offsets by person engaging in
8 qualified air travel to or from an airport in the State. The
9 department:

- 10 (1) Shall receive requests from persons who will be
11 engaging in, or have recently engaged in, qualified
12 air travel to or from an airport in the State for
13 assistance in voluntarily purchasing a verified carbon
14 offset for the carbon dioxide emissions associated
15 with a person's qualified air travel;
- 16 (2) Shall use reasonable best efforts to facilitate the
17 requestor's connection with a provider of verified
18 carbon offsets for carbon dioxide emissions from air
19 travel from whom the requestor may purchase a carbon
20 offset for their trip;



- 1 (3) Shall have personnel available at one or more kiosks
2 in each airport in the State, during those times when
3 incoming or outgoing flights are occurring, in highly
4 visible locations at which the assistance described in
5 paragraphs (1) and (2) shall be provided;
- 6 (4) Shall place information on the department's website
7 describing the process being made available by the
8 department to assist air travelers with their purchase
9 of verified carbon offsets for their air travel from
10 providers of such offsets, including interactive
11 capability by which air travelers may arrange for the
12 online purchase of verified carbon offsets, and shall
13 encourage airlines using airports in the State to
14 provide links on their respective websites to the
15 department's webpage concerning carbon offsets for air
16 travel;
- 17 (5) Shall maintain a list of entities, public or private,
18 that provide verified carbon offsets for passenger air
19 travel; and
- 20 (6) May contract with other persons to conduct one or more
21 of the duties described in paragraphs (1) through (5).



1 (b) For the purposes of this section:

2 "Carbon offset" means a reduction in carbon dioxide or
3 other greenhouse gases in, or emitted into, the atmosphere that
4 is achieved by or on behalf of a person to compensate, in a
5 carbon dioxide-equivalent amount, for the emissions of carbon
6 dioxide resulting from air travel by the person to or from an
7 airport in the State. "Carbon offset" includes an action that
8 removes greenhouse gases from the atmosphere or that reduces
9 future greenhouse gas emissions.

10 "Qualified air travel" means any air travel regulated under
11 this chapter that occurs between an airport in the State and
12 another airport in the State or an airport in the continental
13 United States.

14 "Verified" means, with respect to a carbon offset, a
15 reduction in carbon dioxide, or carbon dioxide-equivalent amount
16 of other greenhouse gases, that is determined to be real,
17 permanent, and unlikely to occur in the absence of the offset
18 program, through a process of validation and verification by an
19 independent third party."

20 SECTION 3. Section 261-4, Hawaii Revised Statutes, is
21 amended by amending subsection (a) to read as follows:



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 purposes, plan, acquire, establish,
5 construct, enlarge, improve, maintain, equip, install, operate,
6 regulate, and protect, airports, air navigation facilities,
7 buildings, and other facilities to provide for the servicing of
8 aircraft; to provide for the comfort, accommodation, and
9 convenience of air travelers[+], which may include but is not
10 limited to the provision of assistance to air travelers who wish
11 to purchase carbon offsets for carbon dioxide emissions
12 resulting from their air travel to or from an airport in the
13 State; and to protect against airport hazards."

14 SECTION 4. Statutory material to be repealed is bracketed
15 and stricken. New statutory material is underscored.

16 SECTION 5. This Act shall take effect upon its approval.

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INTRODUCED BY: _____

Karl Rhoads



S.B. NO. 304

Report Title:

Air Travel; Verified Carbon Offset; Qualified Air Travel;
Department of Transportation

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 their 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.

