

JAN 22 2021

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# A BILL FOR AN ACT

RELATING TO THE ENVIRONMENT.

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

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PART I

SECTION 1. The legislature finds that the use of fossil fuels is the State's primary contributor to greenhouse gas emissions. These emissions cause climate change, which poses a serious threat to the State's economic well-being, public health, infrastructure, and environment. The State's dependence on fossil fuels also drains the economy of billions of dollars each year, makes residents vulnerable to the volatility of oil prices, and puts residents at increased risk in the event of a natural disaster. Thus, Act 15, Session Laws of Hawaii 2018, was enacted to establish a goal for the State's economy to become carbon neutral by 2045.

The legislature further finds that the transportation sector accounts for the use of over two-thirds of the oil imported into the State. The legislature notes that, for ground transportation, electric vehicles provide a viable, cost-effective alternative to vehicles that run on fossil fuels.



1 For state-owned transportation fleets, the transition to  
2 electric vehicles will bring with its considerable cost savings  
3 because of lower costs to operate and maintain these vehicles.  
4 With the impacts of the COVID-19 pandemic on the state budget,  
5 it is imperative that the State take advantage of all  
6 opportunities for savings, and the electrification of state  
7 fleets to the extent possible is one of these opportunities.

8 The purpose of this part is to begin the transition to one  
9 hundred per cent clean ground transportation in the State by  
10 establishing a goal for the reduction and ultimate elimination  
11 of the use of fossil fuels for ground transportation by 2045,  
12 and a goal for the State to lead by example by transitioning to  
13 one hundred per cent of light duty vehicles powered by renewable  
14 energy sources by 2035.

15 SECTION 2. Chapter 103D, Hawaii Revised Statutes, is  
16 amended by adding a new section to be appropriately designated  
17 and to read as follows:

18 "§103D- Other motor vehicle requirements. (a) The  
19 procurement policy for all agencies purchasing or leasing  
20 medium- and heavy-duty motor vehicles shall be to seek vehicles



1 that reduce dependence on petroleum-based fuels that meet the  
2 needs of the agency, where feasible and cost-effective.

3 Priorities for selecting vehicles for lease or purchase  
4 shall be as follows:

- 5 (1) Electric or plug-in hybrid electric vehicles and fuel
- 6 cell electric vehicles;
- 7 (2) Other alternative fuel vehicles;
- 8 (3) Hybrid electric vehicles; and
- 9 (4) Vehicles that are identified by the United States
- 10 Environmental Protection Agency in its annual "Fuel
- 11 Economy Leaders" report as being among the top
- 12 performers for fuel economy in their class.

13 (b) Vehicles shall not be larger than necessary for their  
14 intended functions."

15 SECTION 3. Chapter 225P, Hawaii Revised Statutes, is  
16 amended by adding a new section to be appropriately designated  
17 and to read as follows:

18 "§225P- Climate change mitigation. (a) It shall be  
19 the goal of the State to reduce emissions that cause climate  
20 change and build energy efficiencies across all sectors,  
21 including decarbonizing the transportation sector.



1        (b) There is established a clean ground transportation  
2 target, across all business sectors of the State, to attain a  
3 goal of one hundred per cent of light duty vehicles powered by  
4 renewable energy sources by December 31, 2045, and for  
5 light-duty state-owned vehicles by December 31, 2035."

6        SECTION 4. Chapter 264, Hawaii Revised Statutes, is  
7 amended by adding a new section to part I to be appropriately  
8 designated and to read as follows:

9        "~~§264-~~        **Clean ground transportation goal.**    The  
10 department of transportation, in collaboration with the Hawaii  
11 state energy office, shall develop strategies to transition all  
12 light-duty motor vehicles, both public and private, in the State  
13 to meet the clean ground transportation target established  
14 pursuant to section 225P- (b)."

15        SECTION 5. Section 103D-412, Hawaii Revised Statutes, is  
16 amended to read as follows:

17        "**§103D-412 Light-duty motor vehicle requirements.**    (a)  
18 The procurement policy for all agencies purchasing or leasing  
19 light-duty motor vehicles shall be to reduce dependence on  
20 petroleum for transportation energy[+] and meet the following  
21 clean ground transportation goals:



1       (1) Thirty per cent of light-duty motor vehicles of each  
2       fleet shall be powered by renewable energy sources by  
3       December 31, 2025;

4       (2) Sixty per cent of light-duty motor vehicles of each  
5       fleet shall be powered by renewable energy sources by  
6       December 31, 2030; and

7       (3) One hundred per cent of light-duty motor vehicles of  
8       each fleet shall be powered by renewable energy  
9       sources by December 31, 2035.

10       (b) Beginning January 1, 2010, all state and county  
11 entities, when purchasing new vehicles, shall seek vehicles with  
12 reduced dependence on petroleum-based fuels that meet the needs  
13 of the agency. Priority for selecting vehicles shall be as  
14 follows:

15       (1) Electric or plug-in hybrid electric vehicles and fuel  
16       cell electric vehicles;

17       (2) Other alternative fuel vehicles;

18       (3) Hybrid electric vehicles; and

19       (4) Vehicles that are identified by the United States  
20       Environmental Protection Agency in its annual "Fuel



1 Economy Leaders" report as being among the top  
2 performers for fuel economy in their class.

3 (c) Vehicles shall not be larger than necessary for their  
4 intended functions.

5 [~~e~~] (d) For the purposes of this section:

6 "Agency" means a state agency, office, or department.

7 "Alternative fuel" means alcohol fuels, mixtures containing  
8 eighty-five per cent or more by volume of alcohols with gasoline  
9 or other fuels, natural gas, liquefied petroleum gas, hydrogen,  
10 biodiesel, mixtures containing twenty per cent or more by volume  
11 of biodiesel with diesel or other fuels, other fuels derived  
12 from biological materials, and electricity provided by off-board  
13 energy sources.

14 "Covered fleet" has the same meaning as contained in 10  
15 Code of Federal Regulations Part 490 Subpart C.

16 "Excluded vehicles" has the same meaning as provided in 10  
17 Code of Federal Regulations section 490.3.

18 "Fuel cell electric vehicle" means a zero-emission electric  
19 vehicle that uses a fuel cell to convert hydrogen gas and oxygen  
20 into electricity that is used in a vehicle powertrain for  
21 propulsion.



1 "Light-duty motor vehicle" has the same meaning as  
2 contained in 10 Code of Federal Regulations Part 490, not  
3 including any vehicle incapable of traveling on highways or any  
4 vehicle with a gross vehicle weight rating greater than eight  
5 thousand five hundred pounds.

6 [~~(d)~~] (e) Agencies may apply to the chief procurement  
7 officer for exemptions from the requirements of this section to  
8 the extent that the vehicles required by this section are not  
9 available or do not meet the specific needs of the agency;  
10 provided that life cycle vehicle and fuel costs may be included  
11 in the determination of whether a particular vehicle meets the  
12 needs of the agency. Estimates of future fuel costs shall be  
13 based on projections from the United States Energy Information  
14 Administration.

15 [~~(e)~~] (f) Vehicles acquired from another state agency and  
16 excluded vehicles are exempt from the requirements of this  
17 section~~[-]~~ but shall be included in the calculation of the clean  
18 ground transportation goals established under subsection (a).

19 [~~(f)~~] (g) Nothing in this section is intended to interfere  
20 with the ability of a covered fleet to comply with the vehicle



1 purchase mandates required by 10 Code of Federal Regulations  
2 Part 490 Subpart C."

3 SECTION 6. Section 196-9, Hawaii Revised Statutes, is  
4 amended by amending subsection (c) to read as follows:

5 "(c) With regard to motor vehicles and transportation  
6 fuel, each agency shall:

- 7 (1) Comply with Title 10, Code of Federal Regulations,  
8 Part 490, Subpart C, "Mandatory State Fleet Program",  
9 if applicable;
- 10 (2) Comply with all applicable state laws regarding  
11 vehicle purchases;
- 12 (3) Once federal and state vehicle purchase mandates have  
13 been satisfied, purchase the most fuel-efficient  
14 vehicles that meet the needs of their programs;  
15 provided that life cycle cost-benefit analysis of  
16 vehicle purchases shall include projected fuel costs;
- 17 (4) Purchase alternative fuels and ethanol blended  
18 gasoline when available;
- 19 (5) Evaluate a purchase preference for biodiesel blends,  
20 as applicable to agencies with diesel fuel purchases;
- 21 (6) Promote efficient operation of vehicles;





1           (7) Use the most appropriate minimum octane fuel; provided  
2           that vehicles shall use 87-octane fuel unless the  
3           owner's manual for the vehicle states otherwise or the  
4           engine experiences knocking or pinging;

5           (8) Beginning with fiscal year 2005-2006 as the baseline,  
6           collect and maintain, for the life of each vehicle  
7           acquired, the following data:

8           (A) Vehicle acquisition cost;

9           (B) United States Environmental Protection Agency  
10           rated fuel economy;

11           (C) Vehicle fuel configuration, such as gasoline,  
12           diesel, flex-fuel gasoline/E85, and dedicated  
13           propane;

14           (D) Actual in-use vehicle mileage;

15           (E) Actual in-use vehicle fuel consumption; and

16           (F) Actual in-use annual average vehicle fuel  
17           economy; [~~and~~]

18           (9) Beginning with fiscal year 2005-2006 as the baseline  
19           with respect to each agency that operates a fleet of  
20           thirty or more vehicles, collect and maintain, in  
21           addition to the data in paragraph (8), the following:



- 1 (A) Information on the vehicles in the fleet,
- 2 including vehicle year, make, model, gross
- 3 vehicle weight rating, and vehicle fuel
- 4 configuration;
- 5 (B) Fleet fuel usage, by fuel;
- 6 (C) Fleet mileage; and
- 7 (D) Overall annual average fleet fuel economy and
- 8 average miles per gallon of gasoline and
- 9 diesel[-]; and
- 10 (10) Plan and coordinate vehicle acquisition to meet the
- 11 following clean ground transportation goals:
- 12 (A) Thirty per cent of light-duty motor vehicles of
- 13 each fleet shall be powered by renewable sources
- 14 by December 31, 2025;
- 15 (B) Sixty per cent of light-duty motor vehicles of
- 16 each fleet shall be powered by renewable sources
- 17 by December 31, 2030; and
- 18 (C) One hundred per cent of light-duty motor vehicles
- 19 of each fleet shall be powered by renewable
- 20 sources by December 31, 2035."



1 SECTION 7. Section 196-42, Hawaii Revised Statutes, is  
2 amended to read as follows:

3 **"§196-42 State support for achieving alternate fuels**  
4 **standards[-] and clean ground transportation goals.** (a) The  
5 State shall facilitate the development of alternate fuels and  
6 support the attainment of a statewide alternate fuels standard  
7 of ten per cent of highway fuel demand to be provided by  
8 alternate fuels by 2010, fifteen per cent by 2015, twenty per  
9 cent by 2020, and thirty per cent by 2030. For purposes of the  
10 alternate fuels standard, ethanol produced from cellulosic  
11 materials shall be considered the equivalent of two and one-half  
12 gallons of noncellulosic ethanol. "Alternate fuels" shall have  
13 the same meaning as contained in 10 Code of Federal Regulations  
14 Part 490; provided that it shall also include liquid or gaseous  
15 fuels produced from renewable feedstocks such as organic wastes,  
16 or from water using electricity from renewable energy sources.  
17 (b) The State shall support the attainment of the clean  
18 ground transportation target established pursuant to section  
19 225P- (b)."



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PART II

SECTION 8. Chapter 103D, Hawaii Revised Statutes, is amended by adding a new section to part IV to be appropriately designated and to read as follows:

"§103D- Construction projects, roadway materials; carbon footprint reduction. When purchasing building materials for the construction of new roads, state and county agencies shall purchase building materials that reduce the carbon footprint of the project for use on the project, where the purchase of the building materials is feasible and cost-effective."

PART III

SECTION 9. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 10. This Act shall take effect upon its approval.

INTRODUCED BY: 



# S.B. NO. 500

**Report Title:**

Clean Ground Transportation Goals; Fleet Procurement; Road Construction; Carbon Footprint Reduction

**Description:**

Establishes clean ground transportation goals for state agencies on a staggered basis until achieving a 100 per cent light-duty motor vehicle clean fleet by 12/31/2035, and all light-duty motor vehicles in the State by 12/31/2045. Requires the procurement policy for all agencies purchasing or leasing medium- and heavy-duty motor vehicles to seek vehicles that reduce dependence on petroleum-based fuels that meet the needs of the agency, where feasible and cost-effective. Requires state and county agencies to purchase building materials that reduce the carbon footprint of the project for use on the construction of new roads, where feasible and cost-effective.

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

