

JAN 22 2021

A BILL FOR AN ACT

RELATING TO ELECTRIC VEHICLES.

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

1 SECTION 1. Section 291-71, Hawaii Revised Statutes, is
2 amended to read as follows:
3 "**§291-71 Designation of parking spaces for electric**
4 **vehicles; charging system.** (a) Places of public accommodation
5 with at least one hundred parking spaces available for use by
6 the general public shall have at least one parking space per one
7 hundred spaces by July 1, 2022, and four parking spaces per one
8 hundred spaces by July 1, 2026, exclusively for electric
9 vehicles and equipped with an electric vehicle charging system
10 located anywhere in the parking structure or lot [~~by July 1,~~
11 ~~2012~~]; provided that no parking space designated for electric
12 vehicles shall displace or reduce accessible stalls required by
13 the Americans with Disabilities Act Accessibility Guidelines.
14 Spaces shall be designated, clearly marked, and the exclusive
15 designation enforced. [~~Owners of multiple parking facilities~~
16 ~~within the State may designate and electrify fewer parking~~
17 ~~spaces than required in one or more of their owned properties;~~



1 ~~provided that the scheduled requirement is met for the total~~
2 ~~number of aggregate spaces on all of their owned properties.]~~

3 (b) The department of transportation shall provide written
4 notification to an owner of a place of public accommodation if
5 the department believes that the place of public accommodation
6 is not compliant with this section. If the place of public
7 accommodation is not compliant with this section:

8 (1) Within three hundred sixty-five days after receipt of
9 a notification of noncompliance, the department of
10 transportation shall provide the owner of the place of
11 public accommodation a first warning to become
12 compliant with this section;

13 (2) Within one hundred eighty days after receipt of a
14 first warning of noncompliance, the department of
15 transportation shall provide the owner of the place of
16 public accommodation a formal notice of violation of
17 this section; or

18 (3) Within ninety days after receipt of a formal notice of
19 violation of this section, the department of
20 transportation shall fine the owner of the place of
21 public accommodation as provided in subsection (c).



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1 (c) The department of transportation shall fine the owner
2 of a place of public accommodation that violates this section
3 \$200 per day that the place of public accommodation remains in
4 violation. If a fine against a place of public accommodation
5 accrues to more than \$300,000, then the department of
6 transportation shall place a lien against the real property of
7 the place of public accommodation.

8 (d) The department of transportation may exempt a place of
9 public accommodation from compliance with this section in cases
10 of financial or engineering hardship; provided that a financial
11 hardship exemption shall not be granted for a place of public
12 accommodation if electrical charging stations may be installed
13 at no cost.

14 [~~(b)~~] (e) For the purposes of this section:

15 "Electric vehicle" means:

- 16 (1) A neighborhood electric vehicle as defined in section
17 286-2;
- 18 (2) A vehicle, with four or more wheels, that draws
19 propulsion energy from a battery with at least four
20 kilowatt hours of energy storage capacity that can be
21 recharged from an external source of electricity; or



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1 (3) A fuel cell electric vehicle.

2 "Electric vehicle charging system" means a system that:

3 (1) Is capable of providing electricity from a non-vehicle
4 source to charge the batteries of one or more electric
5 vehicles;

6 (2) Meets recognized standards, including standard SAE
7 J1772 of SAE International; and

8 (3) Is designed and installed in compliance with article
9 625 of the National Electrical Code;

10 provided that the term shall not include facilities or systems
11 for refueling the hydrogen storage tank of a fuel cell electric
12 vehicle.

13 "Fuel cell electric vehicle" means a zero-emission electric
14 vehicle that uses a fuel cell to convert hydrogen gas and oxygen
15 into electricity that is used in a vehicle powertrain for
16 propulsion.

17 "Place of public accommodation" has the same meaning as
18 that provided in section 489-2[-]; provided that the term shall
19 not include, parks, campsites, trailer facilities, or other
20 recreation facilities."



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1 SECTION 2. This Act does not affect rights and duties that
2 matured, penalties that were incurred, and proceedings that were
3 begun before its effective date.

4 SECTION 3. Statutory material to be repealed is bracketed
5 and stricken. New statutory material is underscored.

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

7

INTRODUCED BY: 



S.B. NO. 763

Report Title:

Electric Vehicles; Places of Public Accommodations; Parking Spaces; Department of Transportation

Description:

Increases from 1 parking space to 4 parking spaces the number of parking spaces that a place of public accommodation with at least one hundred parking spaces is required to offer by 7/1/2026. Removes the exemption that owners of multiple places of public accommodation may offer electric vehicle parking spaces based on the aggregate number of parking spaces available in their properties. Establishes notification requirements and fines for noncompliance.

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

