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# A BILL FOR AN ACT

RELATING TO BIOFUEL.

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

1           SECTION 1. The legislature finds that there are advantages  
2 to encouraging the use of biofuel in motor vehicles. Biofuels  
3 are a renewable energy source, derived from crops that can be  
4 harvested and regrown annually. The ability to grow the energy  
5 source is even more beneficial to the State, allowing the State  
6 to be more energy independent and less reliant on imported  
7 fossil fuels.

8           The legislature further finds that biofuels can help  
9 achieve the Hawaii clean energy initiative's goal of one hundred  
10 per cent clean energy by 2045, by transitioning away from fossil  
11 fuels. Biofuels tend to be more environmentally-friendly than  
12 fossil fuels. Biofuels contain less sulphur, which is a main  
13 component of acid rain. Biofuels also emit less net carbon  
14 dioxide, because the plants used to make the biofuels use carbon  
15 dioxide. The carbon dioxide emitted when burning the biofuels  
16 is offset by the carbon dioxide taken in during the growth of



1 the plants used to make the biofuels. The reduction in net  
2 carbon dioxide emissions can help limit global warming.

3 The purpose of this Act is to encourage the use of biofuels  
4 by requiring that motor vehicle fuel contain at least ten per  
5 cent biofuel by volume and setting fines for distributors who do  
6 not meet the minimum requirement.

7 SECTION 2. Chapter 486J, Hawaii Revised Statutes, is  
8 amended by adding a new section to be appropriately designated  
9 and to read as follows:

10 "§486J- Biofuel content requirement. (a) The director  
11 shall adopt rules in accordance with chapter 91 to require that  
12 fuel sold in the State for use in motor vehicles contain no less  
13 than ten per cent biofuel by volume. The amounts of motor  
14 vehicle fuel sold in the State containing no less than ten per  
15 cent biofuel shall be in accordance with rules adopted by the  
16 director to administer and enforce this section.

17 (b) The director may authorize the sale of motor vehicle  
18 fuel that does not meet the provisions of this section if  
19 sufficient quantities of biofuel are not available to meet the  
20 requirements of this section.



1        (c) Each distributor, at reporting dates established by  
2 the director, shall file with the director, on forms prescribed,  
3 prepared, and furnished by the director, a certified statement  
4 showing:

5        (1) The amount of biofuel available;

6        (2) The amount of biofuel-blended fuel sold by the  
7 distributor;

8        (3) The amount of non-biofuel-blended motor vehicle fuel  
9 sold by the distributor; and

10       (4) Any other information that the director requires for  
11 the purposes of compliance with this section.

12       (d) Provisions with respect to confidentiality of  
13 information shall be as provided in section 486J-6.

14       (e) Any distributor or any other person who violates the  
15 requirements of this section shall be subject to a fine of not  
16 less than \$2 per gallon of nonconforming fuel, up to a maximum  
17 of \$1,000,000 per infraction."

18       SECTION 3. Section 486J-1, Hawaii Revised Statutes, is  
19 amended by amending the definition of "biofuels" to read as  
20 follows:



1            "Biofuels" means liquid or gaseous fuels, including  
2 biodiesel and ethanol, produced from organic sources such as  
3 biomass crops, agricultural residues, and oil crops, such as  
4 palm oil, canola oil, soybean oil, waste cooking oil, grease,  
5 and food wastes, animal residues and wastes, and sewage and  
6 landfill wastes."

7            SECTION 4. New statutory material is underscored.

8            SECTION 5. This Act shall take effect on July 1, 2050.

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**Report Title:**

Biofuels; Motor Vehicle Fuel; Fine

**Description:**

Requires fuel sold in the State to contain no less than ten per cent biofuel by volume. Sets amount of fine for violating biofuel requirement. Amends definition of "biofuels" to include ethanol and biodiesel. Takes effect on 7/1/2050. (SD1)

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

