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## A BILL FOR AN ACT

RELATING TO ENERGY.

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

1           SECTION 1. The legislature finds that according to the  
2 United States Energy Information Administration, about ninety  
3 per cent of the energy consumed in United States transportation  
4 sector comes from petroleum. The legislature believes that  
5 establishing an electric vehicle charging system loan program  
6 will provide residents of Hawaii equal access to cleaner  
7 electric vehicle technologies, as well as help the environment.  
8 Electric vehicles and charging stations should be easily  
9 accessible to residents of the State to lower daily and monthly  
10 costs for families, all while decreasing exposure to vehicle  
11 admissions and particulate matter and advancing the State's  
12 overall energy and affordability goals.

13           Accordingly, the purpose of this Act is to require the  
14 public utilities commission to administer an electric vehicle  
15 charging system loan program to provide loans to applicants who  
16 install eligible electric vehicle charging systems.



1 SECTION 2. Chapter 269, Hawaii Revised Statutes, is  
2 amended by adding two new sections to part III to be  
3 appropriately designated and to read as follows:

4 "§269-A Electric vehicle charging system; loan program.

5 (a) The public utilities commission, in consultation with  
6 electric vehicle stakeholders and the Hawaii state energy  
7 office, shall administer a loan program that incentivizes the  
8 installation of an eligible electric vehicle charging system, as  
9 provided in this section, and may contract with a third-party  
10 administrator pursuant to section 269-73 to operate and manage  
11 the loan program.

12 (b) An applicant may be eligible for a loan under this  
13 section if the applicant installs an eligible electric vehicle  
14 charging system and is:

15 (1) A homeowner whose household income is no more than one  
16 hundred per cent of the area median income; or

17 (2) An existing or new affordable housing development  
18 located in and serving households that make no more  
19 than one hundred per cent of the area median income.



1        (c) Loans made under this section shall bear no interest  
2 for the first five years and thereafter shall be no more than  
3 three per cent simple interest.

4        (d) No person who receives a loan under this section shall  
5 be eligible for the electric vehicle charging system rebate  
6 program under section 269-72.

7        (e) The public utilities commission shall:

8        (1) Apply for any federal funding available to carry out  
9        the purposes of this section;

10       (2) Prepare any forms that may be necessary to apply for a  
11       loan under this section; and

12       (3) Require each applicant to furnish reasonable  
13       information to ascertain the validity of the  
14       application, including but not limited to  
15       documentation necessary to demonstrate that the  
16       installation is eligible for a loan.

17       (f) The public utilities commission shall adopt rules  
18 pursuant to chapter 91 to carry out the purposes of this  
19 section.

20       (g) For purposes of this section:



1 "Alternating current level 2 charging station" has the same  
2 meaning as in section 269-72.

3 "Applicant" has the same meaning as in section 269-72.

4 "Direct current fast charging system" has the same meaning  
5 as in section 269-72.

6 "Electric vehicle charging system" has the same meaning as  
7 in section 269-72.

8 "Eligible electric vehicle charging system" means:

9 (1) An alternating current level 2 station with one or  
10 more ports that provides electricity to one or more  
11 electric vehicles; or

12 (2) A direct current fast charging system.

13 **§269-B Electric vehicle charging system loan revolving**

14 **fund.** (a) There is established the electric vehicle charging  
15 system loan revolving fund to be administered by the public  
16 utilities commission. Moneys in the electric vehicle charging  
17 system loan revolving fund may be used to provides loans  
18 pursuant to section 269-A to eligible applicants.

19 (b) The electric vehicle charging system loan revolving  
20 fund shall consist of the following moneys:

21 (1) Federal funds;



- 1        (2) Moneys appropriated by the legislature;
- 2        (3) Private contributions;
- 3        (4) Repayment of loans, including interest and payments
- 4                received on account of principal; and
- 5        (5) All income and interest earned or accrued on moneys
- 6                deposited into the fund."

7                SECTION 3. Section 269-72, Hawaii Revised Statutes, is  
8 amended to read as follows:

9                **"§269-72 Electric vehicle charging system; rebate program.**

10        (a) The public utilities commission, in consultation with  
11 electric vehicle stakeholders and the Hawaii state energy  
12 office, shall administer a rebate program that incentivizes the  
13 installation or upgrade of an electric vehicle charging system,  
14 as provided in this section, and may contract with a third-party  
15 administrator pursuant to section 269-73 to operate and manage  
16 the rebate program.

17        (b) An applicant may be eligible for a rebate under the  
18 rebate program if the applicant:

- 19                (1) Installs a new electric vehicle charging system where
- 20                        none previously existed to either:



1 (A) An alternating current Level 2 station with one  
2 or more ports that provide electricity to one or  
3 more electric vehicles; or

4 (B) A direct current fast charging system; or

5 (2) Upgrades an existing electric vehicle charging system  
6 to either:

7 (A) An alternating current Level 2 station with one  
8 or more ports that provide electricity to one or  
9 more electric vehicles; or

10 (B) A direct current fast charging system.

11 (c) Subject to subsection [~~(f)~~,] (g), rebates shall be  
12 distributed as follows:

13 (1) Each eligible installation of an electric vehicle  
14 charging system shall receive:

15 (A) Up to \$2,000 for the installation of an  
16 alternating current Level 2 station with one  
17 port;

18 (B) Up to \$4,500 for the installation of an  
19 alternating current Level 2 station with two or  
20 more ports; and



- 1 (C) Up to \$35,000 for the installation of a direct  
2 current fast charging system; and
- 3 (2) Each eligible upgrade of an electric vehicle charging  
4 system shall receive:
- 5 (A) Up to \$1,300 for the upgrade to an alternating  
6 current Level 2 station with one port;
- 7 (B) Up to \$3,000 for the upgrade to an alternating  
8 current Level 2 station with two or more ports;  
9 and
- 10 (C) Up to \$28,000 for the upgrade to a direct current  
11 fast charging system.
- 12 (d) No person who claims a rebate under this section shall  
13 be eligible for the electric vehicle charging system loan  
14 program under section 269-A.
- 15 [~~d~~] (e) The public utilities commission shall:
- 16 (1) Prepare any forms that may be necessary for an  
17 applicant to claim a rebate pursuant to this section;  
18 and
- 19 (2) Require each applicant to furnish reasonable  
20 information to ascertain the validity of the claim,  
21 including but not limited to documentation necessary



1           to demonstrate that the installation or upgrade for  
2           which the rebate is claimed is eligible.

3           ~~[(e)]~~ (f) This section shall apply to electric vehicle  
4 charging systems that are installed or upgraded after December  
5 31, 2019.

6           ~~[(f)]~~ (g) Applicants shall submit applications to the  
7 public utilities commission within twelve months of the date  
8 that the newly installed or upgraded charging system is placed  
9 into service to claim a rebate from the electric vehicle  
10 charging system rebate program. Failure to apply to the  
11 commission within twelve months of the date that the newly  
12 installed or upgraded charging system is placed into service  
13 shall constitute a waiver of the right to claim the rebate.  
14 Rebates shall be subject to available funds, and the program  
15 administrator shall not approve additional rebates for the  
16 remainder of the fiscal year after program funds have been fully  
17 exhausted.

18           ~~[(g)]~~ (h) Nothing in this section shall alter taxes due on  
19 the original purchase or upgrade price of an electric vehicle  
20 charging system before the application of the rebate. Any  
21 rebate received pursuant to the electric vehicle charging system





1 rebate program shall not be considered income for the purposes  
2 of state or county taxes.

3 ~~(h)~~ (i) In administering the electric vehicle charging  
4 system rebate program, the public utilities commission shall  
5 give consideration to the following guidelines:

6 (1) Priority should be given to electric vehicle charging  
7 systems that are publicly available; serve multiple  
8 tenants, employees, or customers; serve electric  
9 vehicle fleets; support the visitor industry in  
10 transitioning to clean transportation; or serve low-  
11 income, moderate-income, or environmental justice  
12 communities;

13 (2) Electric vehicle charging system rebates should  
14 enhance broader public clean energy and grid  
15 resiliency goals by supporting deployment of electric  
16 vehicle charging systems that can regulate their time  
17 of use, be networked and co-optimized with other  
18 electric vehicle charging systems, and otherwise  
19 provide grid services or other benefits to the utility  
20 and electric grid;



1 (3) Electric vehicle charging systems that serve a single  
2 person, such as a reserved parking stall or a single-  
3 family residence, shall not be eligible for rebates;

4 (4) Electric vehicle charging system rebates should  
5 support accessibility of charging to as many electric  
6 vehicle drivers as feasible; and

7 (5) The program administrator may propose new or modified  
8 guidelines to be considered in addition to those  
9 specified in this subsection and should have the  
10 flexibility to make programmatic adjustments due to  
11 market changes, technological advancements, and levels  
12 of participation to ensure the prudent use of taxpayer  
13 funds and to effectively manage the program budget.

14 [~~i~~] (j) As used in this section:

15 "Alternating current Level 2 charging station", commonly  
16 referred to as "Level 2 charging station", means an electric  
17 vehicle charging system that utilizes alternating current  
18 electricity providing at least three kilowatts and means a  
19 system that:



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

4 (2) Meets recognized standards and protocols including,  
5 but not limited to, Society of Automotive Engineers  
6 (SAE) J1772™ of SAE International and Tesla protocol;  
7 and

8 (3) Is designed and installed in compliance with article  
9 625 of the National Electrical Code to appropriate  
10 Nationally Recognized Testing Laboratories' standards.

11 "Applicant" means an individual; non-profit or for-profit  
12 corporation; local, state, or federal government agency;  
13 homeowner association; or any other eligible entity as defined  
14 under rules adopted for the electric vehicle charging system  
15 rebate program.

16 "Direct current fast charging system", commonly referred to  
17 as "DC fast charging system", means an electric vehicle charging  
18 system that utilizes direct current electricity providing forty  
19 kilowatts or greater and:



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

4 (2) Meets recognized standards and protocols, including,  
5 but not limited to, Society of Automotive Engineers  
6 (SAE) J1772™ of SAE International, Tesla protocol, and  
7 CHAdeMO protocol; and

8 (3) Is designed and installed in compliance with article  
9 625 of the National Electrical Code to appropriate  
10 Nationally Recognized Testing Laboratories' standards.

11 "Electric vehicle charging system" has the same meaning as  
12 Electric Vehicle Supply Equipment as defined in article 625.2 of  
13 the National Electrical Code, as amended."

14 SECTION 4. Section 269-73, Hawaii Revised Statutes, is  
15 amended to read as follows:

16 "**§269-73 Electric vehicle charging system; rebate program;**  
17 **loan program; administrator; establishment.** (a) The public  
18 utilities commission may contract with a third-party  
19 administrator to operate and manage any programs established  
20 under section 269-72[-] or 269-A. The administrator shall not  
21 be deemed to be a "governmental body" as defined in section



1 103D-104; provided that all moneys transferred to the third-  
2 party administrator shall have been appropriated by the  
3 legislature or shall be from funds provided by the federal  
4 government or private funding sources. The administrator shall  
5 not expend more than fifteen per cent of the amounts  
6 appropriated for the rebate program or electric vehicle charging  
7 system loan program, or other reasonable percentage determined  
8 by the public utilities commission for administration of the  
9 programs established under section 269-72; provided that program  
10 administration expenses may include marketing and outreach  
11 expenses to increase program participation, if needed; provided  
12 further that not more than ten per cent of the amounts  
13 appropriated for the rebate program or electric vehicle charging  
14 system loan program may be expended on non-marketing and  
15 outreach programs or administration of the program.

16 (b) The [~~electric vehicle charging system rebate program~~]  
17 administrator of the electric vehicle charging system rebate  
18 program and electric vehicle charging system loan program shall  
19 be subject to regulation by the public utilities commission  
20 under any provision applicable to a public utility in sections  
21 269-7, 269-8, 269-8.2, 269-8.5, 269-9, 269-10, 269-13, 269-15,



1 269-19.5, and 269-28, and shall report to the public utilities  
2 commission on a regular basis. Notwithstanding any other  
3 provision of law to the contrary, the [~~electric vehicle charging~~  
4 ~~system rebate program~~] administrator shall not be an electric  
5 public utility or an electric public utility affiliate."

6 SECTION 5. There is appropriated out of the general  
7 revenues of the State of Hawaii the sum of \$ or so  
8 much thereof as may be necessary for fiscal year 2023-2024 to be  
9 deposited into the electric vehicle charging system loan  
10 revolving fund established under section 269-B, Hawaii Revised  
11 Statutes.

12 SECTION 6. There is appropriated out of the electric  
13 vehicle charging system loan revolving fund the sum of  
14 \$ or so much thereof as may be necessary for fiscal  
15 year 2023-2024 to provide loans under the electric vehicle  
16 charging system loan program under section 269-A, Hawaii Revised  
17 Statutes.

18 The sum appropriated shall be expended by the public  
19 utilities commission for the purposes of this Act.

20 SECTION 7. In codifying the new sections added by section  
21 2 of this Act, the revisor of statutes shall substitute



1 appropriate section numbers for the letters used in designating  
2 the new sections in this Act.

3 SECTION 8. Statutory material to be repealed is bracketed  
4 and stricken. New statutory material is underscored.

5 SECTION 9. This Act shall take effect on July 1, 2023.

6

INTRODUCED BY:

  
JAN 25 2023



# H.B. NO. 1415

**Report Title:**

PUC; Electric Vehicle Charging System; Installation; Loan Program; Appropriation

**Description:**

Requires the public utilities commission to administer an electric vehicle charging system loan program to provide loans to applicants who install eligible electric vehicle charging systems. Appropriates funds.

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

