

JAN 18 2008

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# A BILL FOR AN ACT

RELATING TO TRANSPORTATION.

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

1           SECTION 1. In 2007, the Oregon legislature passed a  
2 renewable energy package to reduce greenhouse gases. Pursuant  
3 thereto, the Oregon department of transportation is planning a  
4 pilot a pilot project for the installation of photovoltaic solar  
5 panels on state property along highways. The rationale is that  
6 solar panels could make profitable use of otherwise empty space  
7 in highway rights of way. The Oregon legislature found that  
8 this practice is common in Europe.

9           The legislature finds that solar panels (arrays of  
10 photovoltaic cells) make use of renewable energy from the sun,  
11 and are a clean and environmentally sound means of collecting  
12 solar energy to convert the sun's light energy into electrical  
13 energy. The legislature further finds that the placement of  
14 solar panels along state highways is an excellent means of  
15 promoting the widespread use of solar energy to provide  
16 electrical power for highway lighting fixtures or nearby  
17 residential neighborhoods.



1           The purpose of this Act is to allow the department of  
2 transportation and the counties to use land along highways,  
3 roadways, and streets for installation of photovoltaic solar  
4 panels.

5           SECTION 2. Chapter 264, Hawaii Revised Statutes, is  
6 amended by adding a new section to part I to be appropriately  
7 designated and to read as follows:

8           "§264-       Installation of photovoltaic solar panels. (a)

9 The department of transportation or a county, as applicable, may  
10 plan and provide for the installation of photovoltaic solar  
11 panels on land adjacent to highways, roadways, and streets, as  
12 defined in section 291C-1, that is owned by the State or by the  
13 respective county. The photovoltaic solar panels shall be used  
14 primarily to generate electricity to power street lighting  
15 fixtures and signs, or other similar devices. The photovoltaic  
16 solar panels may also be used to generate electricity for  
17 residential neighborhoods in propinquity to the highway,  
18 roadway, or street.

19           (b) The department of transportation, with the assistance  
20 of the counties, shall locate and identify suitable land for  
21 purposes of subsection (a) that is feasible for the installation  
22 of photovoltaic solar panels. The department of transportation



1 or a county, as applicable, may contract with a utility to  
 2 provide for the installation of photovoltaic solar panels, for  
 3 the lease of land to a utility, or for other appropriate  
 4 arrangements including but not limited to, the sale of  
 5 electricity to a utility."

6 SECTION 3. Section 46-19, Hawaii Revised Statutes, is  
 7 amended to read as follows:

8 **"[+]§46-19[+] Development of alternative energy resources.**

9 Each of the counties may participate in the development of  
 10 alternative energy resources [~~defined as~~], including geothermal,  
 11 solar, wind, ocean power, biomass and solid wastes, in joint  
 12 venture with an end user or public utility pursuant to a plan  
 13 for the direct utilization of the energy sources by an end user  
 14 or public utility; provided that [~~should~~] if a joint-venture  
 15 partner is not [~~be~~] available, the counties may proceed with the  
 16 development of alternate energy resources for their own  
 17 consumption or for the furtherance of a plan for direct  
 18 utilization by an end user or public utility. A county may join  
 19 with the state department of transportation for purposes of  
 20 section 264- \_\_\_\_."

21 SECTION 4. Statutory material to be repealed is bracketed  
 22 and stricken. New statutory material is underscored.



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

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**Report Title:**

Highways; Photovoltaic Solar Panels

**Description:**

Allows the department of transportation and the counties to identify and permit installation of photovoltaic solar panels along highways, roadways, and streets to generate electricity to power lighting fixtures and provide electricity to nearby residential neighborhoods. Allows the DOT and counties to contract with a utility to install photovoltaic solar panels.

