



GOV. MSG. NO. 773

EXECUTIVE CHAMBERS
HONOLULU

LINDA LINGLE
GOVERNOR

June 25, 2009

The Honorable Colleen Hanabusa, President
and Members of the Senate
Twenty-Fifth State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

Dear Madam President and Members of the Senate:

This is to inform you that on June 25, 2009, the following bill was signed into law:

SB1202 SD2 HD2 CD1

A BILL FOR AN ACT
RELATING TO TRANSPORTATION ENERGY
INITIATIVES.
ACT 156 (09)

Sincerely,



LINDA LINGLE

Approved by the Governor
on JUN 25 2009

THE SENATE
TWENTY-FIFTH LEGISLATURE, 2009
STATE OF HAWAII

ACT 156
S.B. NO. 1202
S.D. 2
H.D. 2
C.D. 1

A BILL FOR AN ACT

RELATING TO TRANSPORTATION ENERGY INITIATIVES.

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

1 SECTION 1. The legislature finds that Hawaii must take
2 bold steps toward reducing its dependence on imported fossil
3 fuels. The State imports ninety-five per cent of its energy,
4 most of which comes from petroleum and coal. Eighty-nine per
5 cent of Hawaii's energy is derived from petroleum and six per
6 cent is derived from coal. Of all the energy consumed in the
7 State, about forty per cent is used for transportation purposes,
8 compared with eight per cent for residential uses, ten per cent
9 for commercial uses, twenty-five per cent for generating
10 electric power, and sixteen per cent for industrial uses.

11 The legislature finds, therefore, that it is essential for
12 the State to aggressively promote and develop alternatives to
13 fossil fuel modes of transportation. Alternative fuel and
14 electric vehicles are a viable solution. Electrification of
15 transportation creates jobs, fosters economic growth, reduces
16 greenhouse gas emissions, and stems the effects of climate
17 change in Hawaii.



1 The legislature also finds that developing an electric
 2 vehicle infrastructure is a first and essential step toward the
 3 transformation of transportation in Hawaii. With developing
 4 technology, along with a push by national and international
 5 automakers to expedite the production and supply of electric
 6 vehicles, Hawaii must be ready to embrace a new generation of
 7 highway transportation.

8 The purpose of this Act is to provide sufficient tools to
 9 develop an infrastructure for electric vehicles in Hawaii.
 10 Accordingly, this Act requires government agencies to lead the
 11 way in the electrification of transportation in the State,
 12 providing an aggressive but realistic timetable to replace
 13 fossil fuel vehicles with electric and alternative fuel
 14 vehicles.

15 PART I

16 PLANNING AND POLICY PRIORITIES

17 SECTION 2. Section 226-10, Hawaii Revised Statutes, is
 18 amended by amending subsection (b) to read as follows:

19 "(b) To achieve the potential growth activity objective,
 20 it shall be the policy of this State to:

21 (1) Facilitate investment and employment in economic
 22 activities that have the potential for growth such as



- 1 diversified agriculture, aquaculture, apparel and
2 textile manufacturing, film and television production,
3 and energy and marine-related industries[-];
4 (2) Expand Hawaii's capacity to attract and service
5 international programs and activities that generate
6 employment for Hawaii's people[-];
7 (3) Enhance and promote Hawaii's role as a center for
8 international relations, trade, finance, services,
9 technology, education, culture, and the arts[-];
10 (4) Accelerate research and development of new energy-
11 related industries based on wind, solar, ocean, and
12 underground resources and solid waste[-];
13 (5) Promote Hawaii's geographic, environmental, social,
14 and technological advantages to attract new economic
15 activities into the State[-];
16 (6) Provide public incentives and encourage private
17 initiative to attract new industries that best support
18 Hawaii's social, economic, physical, and environmental
19 objectives[-];
20 (7) Increase research and the development of ocean-related
21 economic activities such as mining, food production,
22 and scientific research[-];



- 1 (8) Develop, promote, and support research and educational
2 and training programs that will enhance Hawaii's
3 ability to attract and develop economic activities of
4 benefit to Hawaii[-];
- 5 (9) Foster a broader public recognition and understanding
6 of the potential benefits of new, growth-oriented
7 industry in Hawaii[-];
- 8 (10) Encourage the development and implementation of joint
9 federal and state initiatives to attract federal
10 programs and projects that will support Hawaii's
11 social, economic, physical, and environmental
12 objectives[-];
- 13 (11) Increase research and development of businesses and
14 services in the telecommunications and information
15 industries[-]; and
- 16 (12) Foster the research and development of nonfossil fuel
17 and energy efficient modes of transportation."

18 SECTION 3. Section 226-18, Hawaii Revised Statutes, is
19 amended to read as follows:

20 "§226-18 Objectives and policies for facility systems--
21 energy. (a) Planning for the State's facility systems with



1 regard to energy shall be directed toward the achievement of the
2 following objectives, giving due consideration to all:

3 (1) Dependable, efficient, and economical statewide energy
4 systems capable of supporting the needs of the people;

5 (2) Increased energy self-sufficiency where the ratio of
6 indigenous to imported energy use is increased;

7 (3) Greater energy security and diversification in the
8 face of threats to Hawaii's energy supplies and
9 systems; and

10 (4) Reduction, avoidance, or sequestration of greenhouse
11 gas emissions from energy supply and use.

12 (b) To achieve the energy objectives, it shall be the
13 policy of this State to ensure the short- and long-term
14 provision of adequate, reasonably priced, and dependable energy
15 services to accommodate demand.

16 (c) To further achieve the energy objectives, it shall be
17 the policy of this State to:

18 (1) Support research and development as well as promote
19 the use of renewable energy sources;

20 (2) Ensure that the combination of energy supplies and
21 energy-saving systems is sufficient to support the
22 demands of growth;



- 1 (3) Base decisions of least-cost supply-side and demand-
2 side energy resource options on a comparison of their
3 total costs and benefits when a least-cost is
4 determined by a reasonably comprehensive,
5 quantitative, and qualitative accounting of their
6 long-term, direct and indirect economic,
7 environmental, social, cultural, and public health
8 costs and benefits;
- 9 (4) Promote all cost-effective conservation of power and
10 fuel supplies through measures, including:
- 11 (A) Development of cost-effective demand-side
12 management programs;
- 13 (B) Education; and
- 14 (C) Adoption of energy-efficient practices and
15 technologies;
- 16 (5) Ensure, to the extent that new supply-side resources
17 are needed, that the development or expansion of
18 energy systems uses the least-cost energy supply
19 option and maximizes efficient technologies;
- 20 (6) Support research, development, [and] demonstration,
21 and use of energy efficiency, load management, and



1 other demand-side management programs, practices, and
2 technologies;

3 (7) Promote alternate fuels and transportation energy
4 efficiency [~~by encouraging diversification of~~
5 ~~transportation modes and infrastructure~~];

6 (8) Support actions that reduce, avoid, or sequester
7 greenhouse gases in utility, transportation, and
8 industrial sector applications;

9 (9) Support actions that reduce, avoid, or sequester
10 Hawaii's greenhouse gas emissions through agriculture
11 and forestry initiatives; and

12 (10) Provide priority handling and processing for all state
13 and county permits required for renewable energy
14 projects."

15 PART II

16 BUSINESS INCENTIVES AND REQUIREMENTS

17 SECTION 4. Chapter 291, Hawaii Revised Statutes, is
18 amended by adding two new sections to be appropriately
19 designated and to read as follows:

20 "§291-A Designation of parking spaces for electric
21 vehicles; charging units. All public, private, and government
22 parking facilities that are available for use by the general



1 public and have at least one hundred parking spaces shall
2 designate one per cent of parking spaces exclusively for
3 electric vehicles by December 31, 2011, provided that at least
4 one of the parking spaces designated for electric vehicles is
5 located near the building entrance and is equipped with an
6 electric vehicle charging unit. Spaces shall be designated,
7 clearly marked, and the exclusive designation enforced. The
8 electric vehicle charging units shall meet recognized standards,
9 including SAE J1772 of the Society of Automotive Engineers.
10 Owners of multiple parking lots within the State may designate
11 and electrify fewer parking spaces than required in one or more
12 of their owned properties as long as the scheduled requirement
13 is met for the total number of aggregate spaces on all of their
14 owned properties.

15 When the number of registered electric vehicles in the
16 State reaches five thousand, the spaces designated for electric
17 vehicles shall increase to two per cent of parking spaces. The
18 number of spaces designated for electric vehicles shall continue
19 to increase by one per cent for each additional five thousand
20 electric vehicles registered in the State until the percentage
21 reaches ten per cent of parking spaces.



1 For the purposes of this section, "electric vehicle" means
2 an electric vehicle or neighborhood electric vehicle with an
3 electric vehicle license plate.

4 §291-B Parking spaces reserved for electric vehicles;
5 penalties. (a) Beginning January 1, 2012, any person who parks
6 a non-electric vehicle in a space designated and marked as
7 reserved for electric vehicles shall receive a warning.

8 (b) Beginning July 1, 2013, any person who parks a non-
9 electric vehicle in a space designated and marked as reserved
10 for electric vehicles shall be guilty of a traffic infraction
11 under chapter 291D and shall be fined not less than \$50 nor more
12 than \$100, and shall pay any costs incurred by the court related
13 to assessing the fine.

14 (c) Any citation issued under this section may be mailed
15 to the violator pursuant to section 291C-165(b)."

16 SECTION 5. Section 269-1, Hawaii Revised Statutes, is
17 amended by amending the definition of "public utility" to read
18 as follows:

19 "Public utility":

- 20 (1) Includes every person who may own, control, operate,
21 or manage as owner, lessee, trustee, receiver, or
22 otherwise, whether under a franchise, charter,



1 license, articles of association, or otherwise, any
2 plant or equipment, or any part thereof, directly or
3 indirectly for public use, for the transportation of
4 passengers or freight, or the conveyance or
5 transmission of telecommunications messages, or the
6 furnishing of facilities for the transmission of
7 intelligence by electricity by land or water or air
8 within the State, or between points within the State,
9 or for the production, conveyance, transmission,
10 delivery, or furnishing of light, power, heat, cold,
11 water, gas, or oil, or for the storage or warehousing
12 of goods, or the disposal of sewage; provided that the
13 term shall include:

14 (A) Any person insofar as that person owns or
15 operates a private sewer company or sewer
16 facility; and

17 (B) Any telecommunications carrier or
18 telecommunications common carrier;

19 (2) Shall not include:

20 (A) Any person insofar as that person owns or
21 operates an aerial transportation enterprise;



- 1 (B) Persons owning or operating taxicabs, as defined
2 in this section;
- 3 (C) Common carriers transporting only freight on the
4 public highways, unless operating within
5 localities or along routes or between points that
6 the public utilities commission finds to be
7 inadequately serviced without regulation under
8 this chapter;
- 9 (D) Persons engaged in the business of warehousing or
10 storage unless the commission finds that
11 regulation thereof is necessary in the public
12 interest;
- 13 (E) The business of any carrier by water to the
14 extent that the carrier enters into private
15 contracts for towage, salvage, hauling, or
16 carriage between points within the State and the
17 carriage is not pursuant to either an established
18 schedule or an undertaking to perform carriage
19 services on behalf of the public generally;
- 20 (F) The business of any carrier by water,
21 substantially engaged in interstate or foreign
22 commerce, transporting passengers on luxury



1 cruises between points within the State or on
2 luxury round-trip cruises returning to the point
3 of departure;

4 (G) Any person who:

5 (i) Controls, operates, or manages plants or
6 facilities for the production, transmission,
7 or furnishing of power primarily or entirely
8 from nonfossil fuel sources; and

9 (ii) Provides, sells, or transmits all of that
10 power, except such power as is used in its
11 own internal operations, directly to a
12 public utility for transmission to the
13 public;

14 (H) A telecommunications provider only to the extent
15 determined by the commission pursuant to section
16 269-16.9;

17 (I) Any person who controls, operates, or manages
18 plants or facilities developed pursuant to
19 chapter 167 for conveying, distributing, and
20 transmitting water for irrigation and such other
21 purposes that shall be held for public use and
22 purpose;



- 1 (J) Any person who owns, controls, operates, or
- 2 manages plants or facilities for the reclamation
- 3 of wastewater; provided that:
- 4 (i) The services of the facility shall be
- 5 provided pursuant to a service contract
- 6 between the person and a state or county
- 7 agency and at least ten per cent of the
- 8 wastewater processed is used directly by the
- 9 State or county which has entered into the
- 10 service contract;
- 11 (ii) The primary function of the facility shall
- 12 be the processing of secondary treated
- 13 wastewater that has been produced by a
- 14 municipal wastewater treatment facility that
- 15 is owned by a state or county agency;
- 16 (iii) The facility shall not make sales of water
- 17 to residential customers;
- 18 (iv) The facility may distribute and sell
- 19 recycled or reclaimed water to entities not
- 20 covered by a state or county service
- 21 contract; provided that, in the absence of
- 22 regulatory oversight and direct competition,



1 the distribution and sale of recycled or
2 reclaimed water shall be voluntary and its
3 pricing fair and reasonable. For purposes
4 of this subparagraph, "recycled water" and
5 "reclaimed water" [~~mean~~] means treated
6 wastewater that by design is intended or
7 used for a beneficial purpose; and

8 (v) The facility shall not be engaged, either
9 directly or indirectly, in the processing of
10 food wastes; [~~and~~]

11 (K) Any person who owns, controls, operates, or
12 manages any seawater air conditioning district
13 cooling project; provided that at least fifty per
14 cent of the energy required for the seawater air
15 conditioning district cooling system is provided
16 by a renewable energy resource, such as cold,
17 deep seawater[~~-~~]; and

18 (L) Any person who owns, controls, operates, or
19 manages plants or facilities primarily used to
20 charge or discharge a vehicle battery that
21 provides power for vehicle propulsion.



1 If the application of this chapter is ordered by the
2 commission in any case provided in paragraphs (2) (C), (2) (D),
3 (2) (H), and (2) (I), the business of any public utility that
4 presents evidence of bona fide operation on the date of the
5 commencement of the proceedings resulting in the order shall be
6 presumed to be necessary to public convenience and necessity,
7 but any certificate issued under this proviso shall nevertheless
8 be subject to such terms and conditions as the commission may
9 prescribe, as provided in sections 269-16.9 and 269-20."

10 PART III

11 GOVERNMENT AGENCY REQUIREMENTS

12 SECTION 6. Section 103D-412, Hawaii Revised Statutes, is
13 amended to read as follows:

14 "§103D-412 ~~[Energy-efficient vehicles.]~~ Light-duty motor
15 vehicle requirements. (a) The procurement policy for all
16 agencies purchasing or leasing light-duty motor vehicles shall
17 be to ~~[obtain energy-efficient vehicles. All covered fleets are~~
18 ~~directed to procure increasing percentages of energy-efficient~~
19 ~~vehicles as part of their annual vehicle acquisition plans,~~
20 ~~which shall be as follows:~~

21 ~~(1) In the fiscal year beginning July 1, 2006, at least~~
22 ~~twenty per cent of newly purchased light-duty vehicles~~



- 1 ~~acquired by each covered fleet shall be energy-~~
2 ~~efficient vehicles;~~
- 3 ~~(2) In the fiscal year beginning July 1, 2007, at least~~
4 ~~thirty per cent of newly purchased light duty vehicles~~
5 ~~acquired by each covered fleet shall be energy-~~
6 ~~efficient vehicles;~~
- 7 ~~(3) In the fiscal year beginning July 1, 2008, at least~~
8 ~~forty per cent of newly purchased light duty vehicles~~
9 ~~acquired by each covered fleet shall be energy-~~
10 ~~efficient vehicles; and~~
- 11 ~~(4) For each subsequent fiscal year, the percentage of~~
12 ~~energy efficient vehicles newly purchased shall be~~
13 ~~five percentage points higher than the previous year,~~
14 ~~until at least seventy five per cent of each covered~~
15 ~~fleet's newly purchased, light duty vehicles are~~
16 ~~energy efficient vehicles.]~~

17 reduce dependence on petroleum for transportation energy.

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



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

9 ~~[(b)]~~ (c) For the purposes of this section:

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

11 "Alternative fuel" ~~[has the same meaning as contained in 10~~

12 ~~Code of Federal Regulations Part 490.]~~ means alcohol fuels,

13 mixtures containing eighty-five per cent or more by volume of

14 alcohols with gasoline or other fuels, natural gas, liquefied

15 petroleum gas, hydrogen, biodiesel, mixtures containing twenty

16 per cent or more by volume of biodiesel with diesel or other

17 fuels, other fuels derived from biological materials, and

18 electricity provided by off-board energy sources.

19 "Covered fleet" has the same meaning as contained in 10

20 Code of Federal Regulations Part 490 Subpart C.

21 ~~["Energy efficient vehicle" means a vehicle that:~~

22 ~~(1) Is capable of using an alternative fuel;~~



- 1 ~~(2) Is powered primarily through the use of an electric~~
- 2 ~~battery or battery pack that stores energy produced by~~
- 3 ~~an electric motor through regenerative braking to~~
- 4 ~~assist in vehicle operation;~~
- 5 ~~(3) Is propelled by power derived from one or more cells~~
- 6 ~~converting chemical energy directly into electricity~~
- 7 ~~by combining oxygen with hydrogen fuel that is stored~~
- 8 ~~on board the vehicle in any form;~~
- 9 ~~(4) Draws propulsion energy from onboard sources of stored~~
- 10 ~~energy generated from an internal combustion or heat~~
- 11 ~~engine using combustible fuel and a rechargeable~~
- 12 ~~energy storage system; or~~
- 13 ~~(5) Is on the list of "Most Energy Efficient Vehicles" in~~
- 14 ~~its class or is in the top one fifth of the most~~
- 15 ~~energy efficient vehicles in its class available in~~
- 16 ~~Hawaii as shown by vehicle fuel efficiency lists,~~
- 17 ~~rankings, or reports maintained by the United States~~
- 18 ~~Environmental Protection Agency.]~~

19 "Excluded vehicles" has the same meaning as provided in 10
20 Code of Federal Regulations Section 490.3.

21 "Light-duty motor vehicle" has the same meaning as
22 contained in 10 Code of Federal Regulations Part 490[-], not



1 including any vehicle incapable of traveling on highways or any
2 vehicle with a gross vehicle weight rating greater than eight
3 thousand five hundred pounds.

4 ~~[(c) Agencies may offset energy efficient vehicle purchase~~
5 ~~requirements by successfully demonstrating percentage~~
6 ~~improvements in overall light duty vehicle fleet mileage~~
7 ~~economy. The offsets shall be measured against the fleet~~
8 ~~average miles per gallon of petroleum based gasoline and diesel~~
9 ~~fuel, using the fiscal year beginning July 1, 2006, as a~~
10 ~~baseline, on a percentage by percentage basis.~~

11 ~~(d) Agencies that use biodiesel fuel may offset the~~
12 ~~vehicle purchase requirements of this section at the rate of one~~
13 ~~vehiele for each four hundred fifty gallons of neat biodiesel~~
14 ~~fuel used. Neat biodiesel fuel is one hundred per cent~~
15 ~~biodiesel (B100) by volume.~~

16 ~~(e)]~~ (d) Agencies may apply to the chief procurement
17 officer for exemptions from the requirements of this section to
18 the extent that the vehicles required by this section are not
19 available or do not meet the specific needs of the agency[-];
20 provided that life cycle vehicle and fuel costs may be included
21 in the determination of whether a particular vehicle meets the
22 needs of the agency. Estimates of future fuel costs shall be



1 based on projections from the United States Energy Information
2 Administration.

3 [~~f~~] (e) Vehicles acquired from another state agency and
4 excluded vehicles are exempt from the requirements of this
5 section.

6 [~~g~~] (f) Nothing in this section is intended to interfere
7 with [~~an agency's~~] the ability of a covered fleet to comply with
8 [~~federally imposed~~] the vehicle purchase mandates [~~such as~~
9 ~~these~~] required by 10 Code of Federal Regulations Part 490
10 Subpart C."

11 SECTION 7. Section 286-172, Hawaii Revised Statutes, is
12 amended by amending subsection (a) to read as follows:

13 "(a) Subject to authorization granted by the chief justice
14 with respect to the traffic records of the violations bureaus of
15 the district courts and of the circuit courts, the director of
16 transportation shall furnish information contained in the
17 statewide traffic records system in response to:

18 (1) Any request from a state, a political subdivision of a
19 state, or a federal department or agency, or any other
20 authorized person pursuant to rules adopted by the
21 director of transportation under chapter 91;



- 1 (2) Any request from a person having a legitimate reason,
2 as determined by the director, as provided under the
3 rules adopted by the director under paragraph (1), to
4 obtain the information for verification of vehicle
5 ownership, traffic safety programs, or for research or
6 statistical reports; [~~or~~]
- 7 (3) Any request from a person required or authorized by
8 law to give written notice by mail to owners of
9 vehicles[~~-~~]; or
- 10 (4) Any request from the energy resources coordinator to
11 track the number and type of vehicles in use and the
12 effectiveness of efforts to increase the efficiency
13 and diversify the fuel needs of Hawaii's
14 transportation sector."

PART IV

TRANSPORTATION ENERGY TRANSFORMATION GRANT FUND PROGRAM

16 SECTION 8. Chapter 201, Hawaii Revised Statutes, is
17 amended by adding a new section to be appropriately designated
18 and to read as follows:
19

20 "§201- Transportation energy transformation grant fund;
21 electric vehicles. (a) There is established within the state
22 treasury the transportation energy transformation grant fund, to



1 be administered and expended by the department, into which shall
2 be deposited:

- 3 (1) Appropriations made by the legislature;
- 4 (2) Gifts, grants, and other public and private funds;
- 5 (3) Any federal funds; and
- 6 (4) All interest and revenue of receipts derived from the
7 fund.

8 (b) The moneys in the fund shall be used by the department
9 to:

- 10 (1) Provide grants for the acquisition of electric
11 vehicles;
- 12 (2) Provide grants for the installation of electric
13 vehicle charging infrastructure that is in compliance
14 with all state laws and capable of being intelligently
15 integrated with the electrical grid;
- 16 (3) Provide grants for innovative programs that diversify
17 transportation energy sources or that help coordinate
18 activities that will help to diversify transportation
19 energy sources in the State;
- 20 (4) Establish and fill two temporary positions to carry
21 out the purposes of this part; and



1 (5) Pay for any administrative, operational, training, and
2 marketing costs associated with the transportation
3 energy transformation grant program.

4 (c) Applications for grants shall be made to the
5 department and shall be for any or all of the following:

6 (1) The acquisition of one or more new electric vehicles
7 licensed and intended for use on Hawaii's highways;
8 provided that the electric vehicles are:

9 (A) Intended to be charged primarily by renewable
10 energy sources; or

11 (B) Able to be integrated intelligently with the
12 electrical grid;

13 (2) Electric vehicle charging infrastructure; and

14 (3) Innovative programs that diversify transportation
15 energy sources or that help coordinate activities that
16 will help to diversify transportation energy sources
17 in the State.

18 (d) A grant may be made to an applicant only if the
19 applicant has:

20 (1) Met the specifications and requirements established by
21 the director for the grant program;



1 (2) Filed a completed application form, as prescribed by
2 the director, together with all supporting
3 documentation required by the director;

4 (3) Completed the purchase or lease, licensing, and
5 registration of one or more vehicles, prior to
6 applying for one or more electric vehicle grants;

7 (4) Provided any other information deemed necessary by the
8 director; and

9 (5) Met any additional requirements of the grant program
10 as determined by the director.

11 (e) Disbursements from the transportation energy
12 transformation grant fund shall not be subject to chapter 42F.

13 (f) The director shall include information on the
14 transportation energy transformation grant fund, and statistical
15 information on program participation, in the department's annual
16 report to the governor and the legislature.

17 (g) The director may adopt rules pursuant to chapter 91 to
18 govern all aspects of the transportation energy transformation
19 grant fund program.

20 (h) As used in this section:

21 "Director" means the director of business, economic
22 development, and tourism.



1 "Electric vehicle" has the same meaning as contained in
2 Section 30D of the Internal Revenue Code for "new qualified
3 plug-in electric drive motor vehicle".

4 "Electric vehicle charging infrastructure" means
5 structures, machinery, and equipment necessary to support an
6 electric vehicle, including battery charging stations and
7 battery exchange stations.

8 "Integrated intelligently with the electrical grid" means
9 that the demand of the electric vehicle for electricity from the
10 grid is controlled to enable reduction of the vehicle's
11 electrical demand on the grid during peak demand times and to
12 enable maximum use of renewable energy sources, baseload energy
13 sources, or renewable energy potentially available off peak that
14 would otherwise be curtailed."

15 SECTION 9. There is appropriated out of available and
16 appropriated federal funds the sum of \$20,000,000 or so much
17 thereof as may be necessary for fiscal year 2009-2010 and the
18 same sum or so much thereof as may be necessary for fiscal year
19 2010-2011 to be deposited into the transportation energy
20 transformation grant fund; provided that this section shall only
21 take effect upon a determination by the department of business,
22 economic development, and tourism that federal funds that may be



1 appropriately expended for the purposes of this part are
2 available.

3 SECTION 10. There is appropriated out of the
4 transportation energy transformation grant fund the sum of
5 \$20,000,000 or so much thereof as may be necessary for fiscal
6 year 2009-2010 and the same sum or so much thereof as may be
7 necessary for fiscal year 2010-2011 for the purposes of this
8 part; provided that this section shall only take effect upon a
9 determination by the department of business, economic
10 development, and tourism that federal funds that may be
11 appropriately expended for the purposes of this part are
12 available.

13 The sums appropriated shall be expended by the department
14 of business, economic development, and tourism for the purposes
15 of this part.

16 SECTION 11. There are established within the department of
17 business, economic development, and tourism two full-time,
18 temporary positions, exempt from chapters 76 and 89, Hawaii
19 Revised Statutes, to carry out the purposes of this part.



1 PART V

2 MISCELLANEOUS

3 SECTION 12. In codifying the new sections added by section
4 4 of this Act, the revisor of statutes shall substitute
5 appropriate section numbers for the letters used in designating
6 the new sections in this Act.

7 SECTION 13. Statutory material to be repealed is bracketed
8 and stricken. New statutory material is underscored.

9 SECTION 14. This Act shall take effect on July 1, 2009;
10 provided that section 8 shall be repealed on June 30, 2013.

APPROVED this 25 day of JUN, 2009



GOVERNOR OF THE STATE OF HAWAII