
A BILL FOR AN ACT

RELATING TO ENERGY RESOURCES.

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

- 1 SECTION 1. Section 196-6.5, Hawaii Revised Statutes, is
2 amended by amending subsections (a) and (b) to read as follows:
3 "(a) On or after January 1, 2010, no building permit shall
4 be issued for a new single-family dwelling that does not include
5 a solar water heater system that meets the standards established
6 pursuant to section 269-44, unless the [~~energy resources~~
7 ~~coordinator~~] public benefits fee administrator approves a
8 variance. A variance shall only be approved if an architect or
9 mechanical engineer licensed under chapter 464 attests that:
- 10 (1) Installation is impracticable due to poor solar
11 resource;
- 12 (2) Installation is cost-prohibitive based upon a life
13 cycle cost-benefit analysis that incorporates the
14 average residential utility bill and the cost of the
15 new solar water heater system with a life cycle that
16 does not exceed fifteen years;

- 1 (3) A substitute renewable energy technology system, as
2 defined in section 235-12.5, is used as the primary
3 energy source for heating water; ~~[or]~~
- 4 (4) A demand water heater device approved by Underwriters
5 Laboratories, Inc., is installed; provided that at
6 least one other gas appliance is installed in the
7 dwelling. For the purposes of this paragraph, "demand
8 water heater" means a gas-tankless instantaneous water
9 heater that provides hot water only as it is
10 needed~~[-]~~; or
- 11 (5) The public benefits fee administrator shall be
12 responsible for post-installation verification
13 inspections of the water heating technology installed
14 pursuant to section 196-6.5.
- 15 (b) A request for a variance shall be submitted to the
16 ~~[energy resources coordinator]~~ public benefits fee administrator
17 on an application prescribed by the ~~[energy resources~~
18 ~~coordinator]~~ public benefits fee administrator and shall
19 include, but not be limited to, a description of the location of
20 the property and justification for the approval of a variance
21 using the criteria established in subsection (a). A variance
22 shall be deemed approved if not denied within thirty working

1 days after receipt of the variance application. The public
2 benefits fee administrator shall make public:

3 (1) All applications for a variance within seven days
4 after receipt of the variance application; and

5 (2) The disposition of all applications for a variance
6 within seven days of the determination on the variance
7 application."

8 SECTION 2. Statutory material to be repealed is bracketed
9 and stricken. New statutory material is underscored.

10 SECTION 3. This Act, upon its approval, shall take effect
11 retroactive to July 1, 2009.

Report Title:

Energy Resources; Solar Water Heating

Description:

Amends the law mandating solar water heater systems for single-family dwellings by clarifying its application to new dwellings and clarifying variance request procedures and authority. (SD1)