
A BILL FOR AN ACT

RELATING TO THE USE OF AIR CONDITIONERS.

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

1 SECTION 1. Chapter 196, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§196- Air conditioning; commercial buildings. (a) It
5 shall be unlawful to keep open any exterior door of a commercial
6 building or structure while an air conditioning or central
7 cooling system is operating that cools the area adjacent to the
8 door, except as needed to permit the ingress and egress of
9 people and the delivery and shipping of goods; provided,
10 however, that the foregoing shall not apply when an emergency
11 situation exists that requires an exterior door to be kept open.

12 (b) Any person who violates subsection (a) shall be
13 subject to:

- 14 (1) A written warning for a first violation;
15 (2) A civil penalty in the amount of \$200 for each open
16 door for a second violation within an eighteen month
17 period; and



1 (3) A civil penalty in the amount of \$400 for each open
2 door for any third and subsequent violation within an
3 eighteen month period.

4 If there are no violations under this section within eighteen
5 successive months from the date of the last violation, then the
6 next violation shall be treated as the first violation.

7 (c) For purposes of this section:

8 "Commercial building or structure" means a building or
9 structure that is designed, arranged, intended, maintained, or
10 occupied for commercial or business activities, or in which
11 commercial or business activities, occupations, businesses, or
12 operations are carried out, or intended to be carried out.

13 "Door" means any door used to close off any exterior
14 entrance to a commercial building or structure and that when
15 open allows for the commingling of indoor and outdoor air, but
16 shall not include doors of a hotel room that is occupied.

17 "Person" means:

18 (1) With respect to the portion of a commercial building
19 or structure that is a retail or wholesale
20 establishment that sells goods or provides services to
21 consumers, the owner or lessee of the establishment;

22 and



1 (2) With respect to any other portion of a commercial
2 building or structure, the record owner or lessee of
3 the building or structure."

4 SECTION 2. New statutory material is underscored.

5 SECTION 3. This Act shall take effect on January 1, 2011.

6



Report Title:

Air Conditioning Use; Commercial Buildings or Structures

Description:

Prohibits a commercial building or structure owner or lessee from keeping any exterior door open while an air conditioner or central cooling system is in use; effective 1/1/11. (SD1)

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