
A BILL FOR AN ACT

RELATING TO ENERGY RESOURCES.

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

1 SECTION 1. The legislature finds that independence from
2 fossil fuels is critical for the security and wellbeing of
3 Hawaii's residents and for the sustainability and vitality of
4 Hawaii's economy. Rising oil costs and increased dependence on
5 foreign oil continue to place Hawaii's families and businesses
6 in a vulnerable position. Continued consumption of fossil fuel
7 will also worsen global warming, which in turn could mean
8 increasing frequency and intensity of storms and rising sea
9 levels in Hawaii. This will cause significant and costly
10 impacts to our island communities as well as to the larger
11 world.

12 The legislature finds that the installation of solar water
13 heaters on new single-family and duplex homes is one of the most
14 cost-effective and efficient ways of moving Hawaii's families
15 off of fossil fuels. A conventional electric water tank
16 accounts for thirty to thirty-five per cent of a household's
17 electric bill. It is estimated that by relying on the sun for
18 ninety per cent of its hot water demand, a family could save



1 enough money to pay for the solar system in three to five years.
2 After the system is paid off, the heating of water is
3 essentially free. In addition to federal tax credits, when the
4 cost of a solar water heater is included in the cost of a
5 mortgage there could also be the added value of tax deductions.

6 For the reasons above, the legislature in 2008 passed Act
7 204 requiring solar water heaters on new single-family homes.
8 However, the legislature finds that Act 204 allows variances
9 from this requirement under vague and unjustified circumstances
10 such that the purpose of Act 204 is being thwarted in many
11 instances by the variance that allows tankless gas. Therefore,
12 the legislature finds it is necessary to modify the wording of
13 the law and clarify that the variance allowing tankless gas
14 shall require application by an ultimate owner of the dwelling
15 unit and only such owner. If the owner is not available, then
16 the variance application shall not be accepted for processing
17 and the variance shall not be available.

18 SECTION 2. Section 196-6.5, Hawaii Revised Statutes, is
19 amended by amending subsection (a) to read as follows:

20 "(a) On or after January 1, 2010, no building permit shall
21 be issued for a new single-family or duplex dwelling that does
22 not include a solar water heater system that meets the standards



1 established pursuant to section 269-44, unless the coordinator
2 approves a variance. A variance application shall only be
3 accepted if submitted by an [architect]:

4 (1) Architect or mechanical engineer licensed under
5 chapter 464, who attests that:

6 ~~[(1)]~~ (A) Installation is impracticable due to poor solar
7 resource;

8 ~~[(2)]~~ (B) Installation is cost-prohibitive based upon a life
9 cycle cost-benefit analysis that incorporates the
10 average residential utility bill and the cost of
11 the new solar water heater system with a life
12 cycle that does not exceed fifteen years; or

13 ~~[(3)]~~ (C) A renewable energy technology system, as defined in
14 section 235-12.5, is substituted for use as the
15 primary energy source for heating water; or

16 ~~[(4)]~~ (2) Applicant who is responsible for the dwelling
17 energy consumption cost and who attests that:

18 (A) The applicant is or will be the owner of the new
19 dwelling;

20 (B) The applicant has read the "Water Heating Life
21 Cycle Cost Comparison" issued by the department



1 of business, economic development and tourism;
2 and

3 (C) A demand water heater device approved by
4 Underwriters Laboratories, Inc., is or will be
5 installed; provided that at least one other gas
6 appliance is or will be installed in the
7 dwelling. For the purposes of this paragraph,
8 "demand water heater" means a gas-tankless
9 instantaneous water heater that provides hot
10 water only as it is needed."

11 SECTION 3. Statutory material to be repealed is bracketed
12 and stricken. New statutory material is underscored.

13 SECTION 4. This Act shall take effect upon its approval.

14

INTRODUCED BY: *Jim Lach*

By Request

JAN 17 2013



H.B. NO. 225

Report Title:

Kauai County Package; Solar Water Heating

Description:

Extends solar water heater mandate to new duplexes. Limits a gas variance to an owner who is responsible for the energy consumption costs and who makes certain attestations.

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