
A BILL FOR AN ACT

RELATING TO ENERGY.

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

1 SECTION 1. Chapter 105, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§105- Government motor vehicles; fuel cell electric
5 vehicles. (a) Each year per cent of all motor vehicles
6 purchased or acquired by the State, or by any county thereof,
7 under this chapter shall be fuel cell electric vehicles.

8 (b) For the purposes of this section, "fuel cell electric
9 vehicle" means a zero-emission electric vehicle that uses a fuel
10 cell to convert hydrogen gas and oxygen into electricity to
11 charge on-board batteries and power one or more on-board
12 electric motors to propel the vehicle."

13 SECTION 2. Section 286-42, Hawaii Revised Statutes, is
14 amended to read as follows:

15 "§286-42 County finance director's duties. (a) The
16 county director of finance shall examine and to the best of the
17 director's ability determine the genuineness and regularity of



1 every registration and transfer of registration of a vehicle
2 pursuant to this part to ensure that every certificate issued
3 for a vehicle contains true statements of the ownership of the
4 vehicle and to prevent the registration of a vehicle by any
5 person not entitled to the vehicle. The director of finance may
6 require any applicant to furnish information, in addition to
7 that contained in the application, that is necessary to satisfy
8 the director of finance of the truth and regularity of the
9 application. The director of finance may accept any county
10 certificate of title issued for a vehicle as prima facie
11 evidence of ownership for registration and transfer of
12 registration. The director may issue vehicle identification
13 numbers for reconstructed vehicles, special interest vehicles,
14 or motorcycles that do not have vehicle identification numbers
15 if the director determines that the requirements of this section
16 have been met.

17 The county director of finance may register a motorcycle
18 with an aftermarket motorcycle frame, using the number of the
19 frame as issued by the manufacturer of the frame, the vehicle
20 identification number on the certification label, or a vehicle
21 identification number assigned by the director of finance. A



1 bill of sale and Manufacturer's Statement of Origin for the
2 frame, engine, and transmission must be presented and retained
3 as a part of the permanent county registration records. If a
4 Manufacturer's Statement of Origin is not available for the
5 engine and transmission due to the use of a used or
6 reconstructed engine, transmission, or both, then a bill of sale
7 or other proof of ownership, satisfactory to the director of
8 finance must be presented. Except for motorcycles that are
9 built on an aftermarket motorcycle frame, special interest
10 vehicles, and reconstructed vehicles, any motor vehicle or
11 device that is not certified by the manufacturer to be in
12 compliance with all applicable Federal Motor Vehicle Safety
13 Standards as of the date of [+]manufacture[+] shall not be
14 registered.

15 (b) For the purpose of registering standard makes and body
16 types of new passenger motor vehicles the director of finance
17 may accept the certificate of any licensed motor vehicle dealer
18 certifying to the weight and identification of such vehicle.
19 The director of finance of any county may accept the certificate
20 of the director of finance of any other county as to weight and
21 identification of any such vehicle.



1 (c) The director of finance may enter into a contract with
2 new car dealerships and motor vehicle rental companies for the
3 registration of new motor vehicles consistent with any statute,
4 ordinance, or provision of any applicable collective bargaining
5 agreement. The director of finance may adopt rules pursuant to
6 chapter 91 as may be necessary for the application, bonding, and
7 procedural requirements of such contractor.

8 (d) In the event the director of finance is not satisfied
9 as to the ownership of any vehicle sought to be registered,
10 unless the applicant presents satisfactory evidence to the
11 director of finance of the applicant's ownership of the vehicle
12 and as to any liens thereon, the director of finance may accept
13 from the applicant a bond in such form as may be determined by
14 the director of finance in an amount equal to the retail value
15 of the vehicle. The bond and the deposit thereof shall be
16 conditioned to protect the director of finance and any
17 subsequent purchaser of the vehicle or person acquiring any lien
18 thereon or the successor in interest of any such person against
19 any loss or damage on account of any defect in or undisclosed
20 encumbrance upon the right, title, and interest of the applicant
21 in and to the vehicle. Any such interested person shall have a



1 right of action to recover on any such bond for any breach of
2 the conditions for which the same was deposited. The aggregate
3 liability of the surety to all such persons shall in no event
4 exceed the amount of the bond and interest thereon, plus a
5 reasonable attorney's fee to be allowed by the court incurred to
6 procure the recovery under the bond. The bond shall (unless
7 suit has been instituted thereon) be returned and surrendered at
8 the end of three years.

9 (e) The [~~county finance,~~] director of finance, upon being
10 notified by the designated county department that a vehicle is a
11 special interest vehicle or that a vehicle has been inspected
12 and approved as a reconstructed vehicle, shall cause that fact
13 to be shown upon the registration and title certificates for
14 that vehicle.

15 (f) The director of finance shall track and, at least
16 annually, report to the department of business, economic
17 development, and tourism the number of certificates of
18 registration issued under this chapter or any rules adopted by
19 the department of transportation for fuel cell electric
20 vehicles.



1 (g) For the purpose of this section, "fuel cell electric
2 vehicle" means a zero-emission electric vehicle that uses a fuel
3 cell to convert hydrogen gas and oxygen into electricity to
4 charge on-board batteries and power one or more on-board
5 electric motors to propel the vehicle. "Fuel cell electric
6 vehicle" includes original equipment vehicles and vehicles that
7 have been modified or retrofitted."

8 SECTION 3. Section 486J-3, Hawaii Revised Statutes, is
9 amended to read as follows:

10 **"§486J-3 Statements.** Each month, every refiner and
11 distributor, on a reporting date established by the director,
12 shall file with the research and economic analysis division of
13 the department, on forms furnished by the department showing
14 separately for each county and for the islands of Lanai and
15 Molokai within which and whereon fuel is sold or used during the
16 last preceding reporting month, the following:

17 (1) The total volume of fuel imported into and exported
18 from Hawaii, and if for ultimate sale or consumption
19 in another county or on another island, the total
20 volume of fuel, in barrels, by import location
21 (foreign and domestic), by specific crude oil



1 imported, and by liquid fuel type, aviation fuel,
2 diesel fuel, biofuels, and other types of fuel as
3 required by the department, that is sold, exchanged,
4 or otherwise transferred or used by the distributor;

5 (2) The total volume of fuel refined, manufactured, or
6 compounded by refineries, in barrels, by company, and
7 by specific crude oil and by liquid fuel type,
8 aviation fuel, diesel fuel, biofuels, and other types
9 of fuel as required by the department, including No. 2
10 diesel fuel, No. 1 distillate, No. 2 fuel oil, No. 4
11 fuel oil, kerosene, finished aviation gasoline,
12 kerosene-type jet fuel, residual fuel oil, consumer
13 grade propane, and gasoline (regular, midgrade, and
14 premium);

15 (3) The total volume of fuel distributed, in barrels, by
16 company, by island, and by liquid fuel type, aviation
17 fuel, diesel fuel, biofuels, and other types of fuel
18 as required by the department, and by:

19 (A) Classes of retail trade;

20 (B) Federal, state, county agencies, ships stores, or
21 base exchanges, commercial agriculture accounts,



1 commercial non-agriculture accounts, retail
2 dealers, and other customers as required by the
3 department; and

4 (C) Wholesale distributor; [~~and~~]

5 (4) The total volume of inventory and storage capacity, in
6 barrels, by reporting entity, by method of
7 transportation of receipts and distribution, by
8 specific crude oil, and by liquid fuel type, aviation
9 fuel, diesel fuel, biofuels, and other types of fuel
10 as required by the department[-]; and

11 (5) The total volume of non-fossil fuel, including liquid
12 or gas, imported, manufactured, or generated for
13 ultimate sale or consumption in Hawaii by type."

14 SECTION 4. There is appropriated out of the general
15 revenues of the State of Hawaii the sum of \$ or so much
16 thereof as may be necessary for fiscal year 2015-2016 and the
17 same sum or so much thereof as may be necessary for fiscal year
18 2016-2017 for the county directors of finance to track and
19 report the number of fuel cell electric vehicles registered in
20 the State as required under section 286-42(f), Hawaii Revised
21 Statutes.



1 The sums appropriated shall be expended by the county
2 directors of finance for the purposes of this Act.

3 SECTION 5. There is appropriated out of the general
4 revenues of the State of Hawaii the sum of \$ or so much
5 thereof as may be necessary for fiscal year 2015-2016 and the
6 same sum or so much thereof as may be necessary for fiscal year
7 2016-2017 for the counties to purchase fuel cell electric
8 vehicles as required under section 105- , Hawaii Revised
9 Statutes.

10 The sums appropriated shall be expended by the counties for
11 the purposes of this Act.

12 SECTION 6. Statutory material to be repealed is bracketed
13 and stricken. New statutory material is underscored.

14 SECTION 7. This Act shall take effect on July 1, 2015.

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INTRODUCED BY:

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H.B. NO. 1104

Report Title:

Energy; Fuel Cell Electric Vehicles; Non-fossil Fuels

Description:

Requires the State and counties to purchase an unspecified percentage of fuel cell electric vehicles (FCEV) in their total annual purchase or acquisition of government motor vehicles. Requires the directors of finance to track and report to the Department of Business, Economic Development, and Tourism (DBEDT) the number of FCEV registered in the State. Requires fuel distributors to report to DBEDT the volume of non-fossil fuels imported or produced for ultimate sale or consumption in the State.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

