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# A BILL FOR AN ACT

RELATING TO FUEL CELL ELECTRIC VEHICLES.

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

1           SECTION 1. Section 103D-412, Hawaii Revised Statutes, is  
2 amended by amending subsections (b) and (c) to read as follows:  
3           "(b) Beginning January 1, 2010, all state and county  
4 entities, when purchasing new vehicles, shall seek vehicles with  
5 reduced dependence on petroleum-based fuels that meet the needs  
6 of the agency. Priority for selecting vehicles shall be as  
7 follows:  
8           (1) Electric or plug-in hybrid electric vehicles~~[+]~~ and  
9 ~~[-(2) Hydrogen or]~~ fuel cell electric vehicles;  
10 ~~[-(3)]~~ (2) Other alternative fuel vehicles;  
11 ~~[-(4)]~~ (3) Hybrid electric vehicles; and  
12 ~~[-(5)]~~ (4) Vehicles that are identified by the United States  
13 Environmental Protection Agency in its annual "Fuel  
14 Economy Leaders" report as being among the top  
15 performers for fuel economy in their class.  
16           (c) For the purposes of this section:  
17 "Agency" means a state agency, office, or department.



1 "Alternative fuel" means alcohol fuels, mixtures containing  
2 eighty-five per cent or more by volume of alcohols with gasoline  
3 or other fuels, natural gas, liquefied petroleum gas, hydrogen,  
4 biodiesel, mixtures containing twenty per cent or more by volume  
5 of biodiesel with diesel or other fuels, other fuels derived  
6 from biological materials, and electricity provided by off-board  
7 energy sources.

8 "Covered fleet" has the same meaning as contained in 10  
9 Code of Federal Regulations Part 490 Subpart C.

10 "Excluded vehicles" has the same meaning as provided in 10  
11 Code of Federal Regulations section 490.3.

12 "Fuel cell electric vehicle" means a zero-emission electric  
13 vehicle that uses a fuel cell to convert hydrogen gas and oxygen  
14 into electricity that is used in a vehicle powertrain for  
15 propulsion.

16 "Light-duty motor vehicle" has the same meaning as  
17 contained in 10 Code of Federal Regulations Part 490, not  
18 including any vehicle incapable of traveling on highways or any  
19 vehicle with a gross vehicle weight rating greater than eight  
20 thousand five hundred pounds."



1 SECTION 2. Section 291-71, Hawaii Revised Statutes, is  
2 amended by amending subsection (b) to read as follows:

3 "(b) For the purposes of this section:

4 "Electric vehicle" means:

5 (1) A neighborhood electric vehicle as defined in section  
6 286-2; [~~or~~]

7 (2) A vehicle, with four or more wheels, that draws  
8 propulsion energy from a battery with at least four  
9 kilowatt hours of energy storage capacity that can be  
10 recharged from an external source of electricity[~~or~~];

11 or

12 (3) A fuel cell electric vehicle.

13 "Electric vehicle charging system" means a system that:

14 (1) Is capable of providing electricity from a non-vehicle  
15 source to charge the batteries of one or more electric  
16 vehicles;

17 (2) Meets recognized standards, including standard SAE  
18 J1772 of SAE International; and

19 (3) Is designed and installed in compliance with article  
20 625 of the National Electrical Code[~~or~~];



1 provided that "electric vehicle charging system" shall not  
2 include facilities or systems for refueling the hydrogen storage  
3 tank of a fuel cell electric vehicle.

4 "Fuel cell electric vehicle" means a zero-emission electric  
5 vehicle that uses a fuel cell to convert hydrogen gas and oxygen  
6 into electricity that is used in a vehicle powertrain for  
7 propulsion.

8 "Place of public accommodation" has the same meaning as  
9 that provided in section 489-2."

10 SECTION 3. Act 168, Session Laws of Hawaii 2012, is  
11 amended by amending subsection (d) of section 2 to read as  
12 follows:

13 "(d) For the purposes of this Act:

14 "Electric vehicle" means:

- 15 (1) A neighborhood electric vehicle; [~~or~~]
- 16 (2) A vehicle, with four or more wheels, that draws  
17 propulsion energy from a battery with at least four  
18 kilowatt hours of energy storage capacity that can be  
19 recharged from an external source of electricity[-];

20 or

- 21 (3) A fuel cell electric vehicle.



1        "Fuel cell electric vehicle" means a zero-emission electric  
2 vehicle that uses a fuel cell to convert hydrogen gas and oxygen  
3 into electricity that is used in a vehicle powertrain for  
4 propulsion."

5        SECTION 4. Statutory material to be repealed is bracketed  
6 and stricken. New statutory material is underscored.

7        SECTION 5. This Act shall take effect on July 1, 2050.



**Report Title:**

Electric Vehicles; Fuel Cell Electric Vehicles

**Description:**

Includes fuel cell electric vehicles in the definition of "electric vehicles" for purposes of parking exemptions, HOV lane use, registration, and required parking spaces in places of public accommodation. Grants procurement priority for fuel cell electric vehicles for state and county vehicle purchases.

(HB738 HD1)

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

