
A BILL FOR AN ACT

RELATING TO RENEWABLE ENERGY TECHNOLOGIES.

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

1 SECTION 1. Section 196-6.5, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "§196-6.5 Solar water heater system required for new
4 single-family residential construction. (a) On or after
5 January 1, 2010, no building permit shall be issued for a new
6 single-family dwelling that does not include a solar water
7 heater system that meets the standards established pursuant to
8 section 269-44, unless the coordinator approves a variance. A
9 variance application shall only be accepted if submitted by an
10 architect or mechanical engineer licensed under chapter 464, who
11 attests that:

- 12 (1) Installation is impracticable due to poor solar
13 resource;
- 14 (2) Installation is cost-prohibitive based upon a life
15 cycle cost-benefit analysis that incorporates the
16 average residential utility bill and the cost of the



1 new solar water heater system with a life cycle that
2 does not exceed fifteen years;

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

6 (4) A demand water heater device [~~approved by Underwriters~~
7 ~~Laboratories, Inc.,~~] is installed; provided that at
8 least one other gas appliance is installed in the
9 dwelling[-] and the life cycle cost for the device is
10 less than a solar water heater system based on
11 analysis in subsection (a)(2). For the purposes of
12 this paragraph, "demand water heater" means a gas-
13 tankless instantaneous water heater that provides hot
14 water only as it is needed.

15 (b) A request for a variance shall be submitted to the
16 coordinator on an application prescribed by the coordinator and
17 shall include a description of the location of the property and
18 justification for the approval of a variance using the criteria
19 established in subsection (a). The coordinator may exercise
20 discretion in denying any variance application deemed incomplete
21 or insufficient to satisfy the criteria in subsection (a). A



1 variance shall be deemed approved if not denied within thirty
2 working days after receipt of the variance application. The
3 coordinator shall publicize:

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

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

9 (c) The director of business, economic development, and
10 tourism may adopt rules pursuant to chapter 91 to impose and
11 collect fees to cover the costs of administering variances under
12 this section. The fees, if any, shall be deposited into the
13 energy security special fund established under section 201-12.8.

14 (d) Nothing in this section shall preclude any county from
15 establishing procedures and standards required to implement this
16 section.

17 (e) Nothing in this section shall preclude participation
18 in any utility demand-side management program or public benefits
19 fee program under part VII of chapter 269.



1 (f) As used in this section, "renewable energy technology
2 system" means a new system that captures and converts a
3 renewable source of energy, such as solar or wind energy, into:

4 (1) A usable source of thermal or mechanical energy;

5 (2) Electricity; or

6 (3) Fuel."

7 SECTION 2. This Act does not affect rights and duties that
8 matured, penalties that were incurred, and proceedings that were
9 begun before its effective date.

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

12 SECTION 4. This Act shall take effect on January 1, 2100.



Report Title:

Solar Water Heaters; Energy Conservation; DBEDT

Description:

Amends the criteria for granting a variance. Takes effect on 1/1/2100. (SD1)

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