

JAN 18 2019

A BILL FOR AN ACT

RELATING TO ELECTRIC VEHICLES.

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

1 SECTION 1. Section 291-71, Hawaii Revised Statutes, is
2 amended to read as follows:
3 "**§291-71 Designation of parking spaces for electric**
4 **vehicles; charging system.** (a) Places of public accommodation
5 with at least one hundred parking spaces available for use by
6 the general public shall have at least one parking space per one
7 hundred spaces by July 1, 2020, and two parking spaces per one
8 hundred spaces by July 1, 2024, exclusively for electric
9 vehicles and equipped with an electric vehicle charging system
10 located anywhere in the parking structure or lot [~~by July 1,~~
11 ~~2012~~]; provided that no parking space designated for electric
12 vehicles shall displace or reduce accessible stalls required by
13 the Americans with Disabilities Act Accessibility Guidelines.
14 Spaces shall be designated, clearly marked, and the exclusive
15 designation enforced. [~~Owners of multiple parking facilities~~
16 ~~within the State may designate and electrify fewer parking~~
17 ~~spaces than required in one or more of their owned properties,~~



1 ~~provided that the scheduled requirement is met for the total~~
2 ~~number of aggregate spaces on all of their owned properties.]~~

3 This subsection shall be enforced by the appropriate county
4 authority having jurisdiction over planning and permitting, as
5 follows:

- 6 (1) A person or organization may file an open or anonymous
7 complaint with the county authority listing the places
8 of public accommodation that are not in compliance;
- 9 (2) The county authority shall notify the property owner
10 of noncompliance and allow the owner one hundred
11 eighty days to comply with this subsection;
- 12 (3) After ninety days, the county department shall conduct
13 an inspection. If the owner is not in compliance, the
14 county authority shall issue a warning allowing for an
15 additional ninety days for compliance;
- 16 (4) If, after the warning issued under paragraph (3), the
17 owner is still in noncompliance, the county department
18 shall send a formal notice of violation that allows
19 for an additional ninety days for compliance; and
- 20 (5) If after the additional ninety days allowed under
21 paragraph (4) the owner is still in noncompliance, an



1 administrative fine of \$200 per day shall begin to
2 accrue; provided that if the fine accrues to over
3 \$300,000, a lien shall be placed on the property.

4 (b) There shall be an exemption from this section in cases
5 of financial hardship or an engineering hardship in accordance
6 with rules adopted by the appropriate county authority having
7 jurisdiction over planning and permitting; provided that a
8 financial hardship exemption shall not be granted for places of
9 public accommodation if a charging company installs the required
10 electrical charging stations at no cost.

11 ~~(b)~~ (c) For the purposes of this section:

12 "Electric vehicle" means:

13 (1) A neighborhood electric vehicle as defined in section
14 286-2; or

15 (2) A vehicle, with four or more wheels, that draws
16 propulsion energy from a battery with at least four
17 kilowatt hours of energy storage capacity that can be
18 recharged from an external source of electricity.

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



S.B. NO. 437

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

4 (2) Meets recognized standards, including standard SAE
5 J1772 of SAE International; and

6 (3) Is designed and installed in compliance with article
7 625 of the National Electrical Code.

8 "Place of public accommodation" has the same meaning as
9 that provided in section 489-2[-], excluding a park, a campsite,
10 trailer facility, or other recreation facility."

11 SECTION 2. Statutory material to be repealed is bracketed
12 and stricken. New statutory material is underscored.

13 SECTION 3. This Act shall take effect upon its approval.

14

INTRODUCED BY: *Don E R*
Breene Hunt
Rana L
Jordan J
Mike Hillard



S.B. NO. 437

Report Title:

Electric Vehicles; Allotment of Spaces

Description:

Requires, in places of public accommodation, a ratio of one electric vehicle parking stall per 100 stalls by 2020 and a ratio of two electric vehicle parking stalls per 100 stalls by the year 2024. Designates the appropriate county authority having jurisdiction over planning and permitting for enforcement. Specifies procedures for enforcement.

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

