

JAN 18 2019

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



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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."

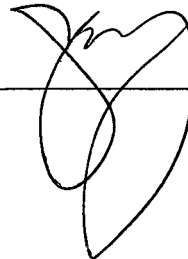
7        SECTION 2. This Act does not affect rights and duties that  
8 matured, penalties that were incurred, and proceedings that were  
9 begun before its effective date.

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 upon its approval.

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INTRODUCED BY: \_\_\_\_\_

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# S.B. NO. 987

**Report Title:**

Solar Water Heaters; Energy Conservation; DBEDT

**Description:**

Amends the criteria for granting a variance for solar water heater systems.

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

