

STAND. COM. REP. NO. 1169

Honolulu, Hawaii

MAR 25 2021

RE: H.B. No. 803
H.D. 1
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Transportation, to which was referred H.B. No. 803, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO ELECTRIC VEHICLES,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Authorize each county to adopt ordinances to enforce section 291-71, Hawaii Revised Statutes, including the establishment of penalties for failure to comply with its requirements or maintain electric vehicle (EV) charging stations in working order;
- (2) Clarify that certain enforcement officers may enter private property to enforce EV parking space violations;
- (3) Require new EV charging systems installed pursuant to the EV charging system requirement to be at least Level 2 and network-capable; and
- (4) Increase the number of required parking spots for EVs from one space to five spaces.

Your Committee received testimony in support of this measure from the Department of Transportation; Hawaii State Energy Office;



Office of Climate Change, Sustainability, and Resiliency for the City and County of Honolulu; Hawaii Electric Vehicle Association; Big Island Electric Vehicle Association; Sustainable Energy Hawai'i; Ulupono Initiative; Hawaiian Electric Company; 350Hawaii; Climate Protectors Hawai'i; Blue Planet Foundation; Our Revolution Hawaii; Tesla, Inc.; Environmental Justice Task Force of Faith Action for Community Equity; Environmental Caucus of the Democratic Party of Hawai'i; and twenty-two individuals. Your Committee received testimony in opposition to this measure from the Building Owners and Managers Association of Hawaii, Hawaii Credit Union League, Retail Merchants of Hawaii, Building Association of Hawaii, and Brookfield Properties. Your Committee received comments on this measure from the Department of Design and Construction for the City and County of Honolulu.

Your Committee finds that emissions from ground transportation account for the largest share of energy sector emissions in the State. Despite Hawaii's statutory target to sequester more greenhouse gases than emitted no later than 2045, less than thirty percent of qualifying parking lots are in compliance with the requirements to designate and maintain a certain number of charging systems for EVs. This measure clarifies the authority to enforce and promote much needed compliance for EV charging infrastructure to help Hawaii meet its clean energy goals.

Your Committee notes that the companion to this measure, S.B. No. 756, S.D. 2 (Regular Session 2021), which was previously passed by the Senate, is a substantially similar measure that also authorizes the counties to adopt ordinances to enforce section 291-71, Hawaii Revised Statutes, requires newly installed EV charging systems to be at least Level 2 and network-capable, and requires parking lot owners to provide a certain number of parking stalls to be equipped with EV charging stations. Your Committee concludes that the language in S.B. No. 756, S.D. 2, is preferable because it includes a provision for parking lot owners to provide ten parking stalls per one hundred stalls to be equipped with EV charging stations by 2030.

Accordingly, your Committee has amended this measure by:

- (1) Deleting its contents and inserting the contents of S.B. No. 756, S.D. 2, a substantially similar measure which:



- (A) Authorizes each county to adopt ordinances to enforce section 291-71, Hawaii Revised Statutes, including the establishment of penalties for failure to comply with its requirements or make reasonable efforts to maintain electric vehicle (EV) charging stations in working order;
 - (B) Clarifies that certain enforcement officers may enter private property to enforce EV parking space violations;
 - (C) Requires new EV charging systems installed pursuant to the EV charging system requirement to be at least Level 2 and network-capable beginning January 1, 2022; and
 - (D) Increases EV charging system equipment requirements per one hundred parking stalls from one stall by 2012 to five stalls by 2025 and ten stalls by 2030; and
- (2) Exempting any parking lot that is located in a flood zone from the requirements to install EV charging systems;
 - (3) Allowing the county to grant a parking lot owner an extension for up to one year to comply with the requirements of this measure upon a demonstration of need by the owner; and
 - (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 803, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 803, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.



Respectfully submitted on
behalf of the members of the
Committee on Transportation,



CHRIS LEE, Chair



The Senate
 Thirty-First Legislature
 State of Hawai'i

Record of Votes
Committee on Transportation
TRS

Bill / Resolution No.:* HB 803 HD1	Committee Referral: TRS, WAM	Date: 3/23/2021
--	--	---------------------------

The Committee is reconsidering its previous decision on this measure.
 If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended 2312
 Pass, with amendments 2311
 Hold 2310
 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
LEE, Chris (C)	✓			
INOUE, Lorraine R. (VC)	✓			
ENGLISH, J. Kalani				✓
SHIMABUKURO, Maile S.L.	✓			
FEVELLA, Kurt	✓			
TOTAL	4			1

Recommendation: Adopted Not Adopted

Chair's or Designee's Signature:


Distribution: Original Yellow Pink Goldenrod
 File with Committee Report Clerk's Office Drafting Agency Committee File Copy

*Only one measure per Record of Votes