



# HAWAII STATE ENERGY OFFICE STATE OF HAWAII

DAVID Y. IGE  
GOVERNOR

SCOTT J. GLENN  
CHIEF ENERGY OFFICER

235 South Beretania Street, 5th Floor, Honolulu, Hawaii 96813  
Mailing Address: P.O. Box 2359, Honolulu, Hawaii 96804

Telephone:  
Web:

(808) 587-3807  
energy.hawaii.gov

Testimony of  
**SCOTT J. GLENN, Chief Energy Officer**

before the  
**HOUSE COMMITTEE ON ENERGY & ENVIRONMENTAL PROTECTION**

Tuesday, February 15, 2022  
9:45 AM  
State Capitol, Conference Room 325 & Videoconference

**COMMENTS  
HB 2042  
RELATING TO SOLAR ENERGY**

Chair Lowen, Vice Chair Marten, and Members of the Committee, the Hawai'i State Energy Office (HSEO) offers comments on House Bill 2042, which permits the governing body of a county to create, by ordinance, a process for the recordation and enforcement of solar easements; allows counties to require individuals claiming a solar right to record that right by filing a declaration with the county clerk; permits the governing body of a county to require, by ordinance, the trimming of vegetation that blocks solar radiation from solar energy devices; and authorizes the ordinance to include a designation for the cost of trimming.

HSEO appreciates the intent of House Bill 2042, however, defers to the counties on matters pertaining to the implementation, designation of cost responsibilities, and enforcement of any proposed ordinance.

Attached is a list of other jurisdictions with regulatory policies regarding solar access. Although HSEO has not closely reviewed the policies, this information resource may be of interest to the Committee and the counties.

HSEO's testimony is guided by its mission to promote energy efficiency, renewable energy, and clean transportation to help achieve a resilient, clean energy, decarbonized economy.

Thank you for the opportunity to testify.

**Attachment to testimony**

[Database of State Incentives for Renewable Energy](#)

Results from the DSIRE database, accessed 2/12/2022.

**61** programs matched these filters:

Category: Regulatory Policy  
Technology: Solar Photovoltaics  
Program Type: Solar/Wind Access Policy



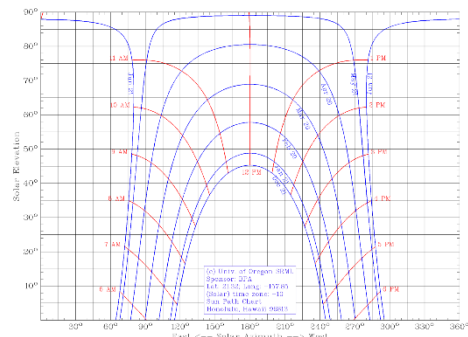
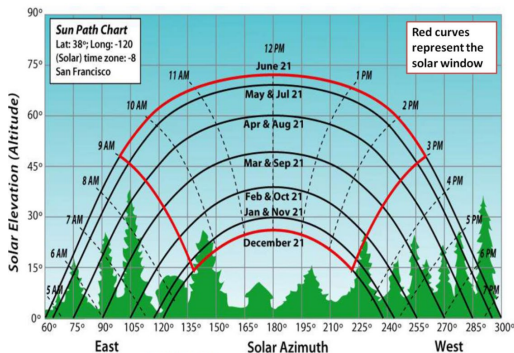
Ctrl-click on the name to see more.

Name	State	Created
<a href="#">Alaska Solar Easements</a>	AK	1/1/2000
<a href="#">Arizona Solar Rights</a>	AZ	1/1/2000
<a href="#">California Solar Rights Act</a>	CA	1/1/2000
<a href="#">California Solar Easement and the Solar Shade Control Act</a>	CA	1/1/2000
<a href="#">City of Santa Cruz - Solar Access Ordinance</a>	CA	8/11/2004
<a href="#">City of Sebastopol - Solar Access</a>	CA	8/11/2004
<a href="#">City of Sacramento - Solar Access Regulations</a>	CA	1/1/2000
<a href="#">City of San Diego - Development Regulations</a>	CA	1/1/2000
<a href="#">City of Boulder - Solar Access Ordinance</a>	CO	2/2/2001
<a href="#">Colorado Solar/Wind Easements and Rights Law</a>	CO	1/1/2000
<a href="#">Delaware Solar Rights Law</a>	DE	7/10/2009
<a href="#">City of Gainesville - Public Facilities Landscaping Ordinances</a>	FL	1/1/2000
<a href="#">Florida Solar Easement and Access Laws</a>	FL	1/1/2000
<a href="#">Georgia Solar Easement Laws</a>	GA	1/1/2000
<a href="#">Hawaii Solar Installation Rights</a>	HI	1/1/2000
<a href="#">Iowa Solar Easement and Access Laws</a>	IA	1/1/2000
<a href="#">Idaho Solar Easements &amp; Access Laws</a>	ID	1/1/2000
<a href="#">Illinois Solar and Wind Rights</a>	IL	8/18/2010
<a href="#">Indiana Solar Easements &amp; Rights Laws</a>	IN	1/1/2000
<a href="#">Kansas Solar Easement Laws</a>	KS	1/1/2000
<a href="#">Kentucky Solar Easements Laws</a>	KY	1/1/2000
<a href="#">Louisiana Solar Rights</a>	LA	6/30/2010
<a href="#">Massachusetts Solar Easements &amp; Rights Laws</a>	MA	1/1/2000
<a href="#">Maryland Solar Easements &amp; Rights Laws</a>	MD	1/1/2000
<a href="#">Maine Solar Easement Rights and Laws</a>	ME	6/16/2009
<a href="#">City of Minneapolis - Solar Access and Easement Laws</a>	MN	10/11/2016
<a href="#">Minnesota Solar/Wind Easement Law &amp; Local Law Options</a>	MN	1/1/2000
<a href="#">City of Kansas City - Solar Easements and Geothermal Access</a>	MO	11/4/2014
<a href="#">Missouri Solar Easements &amp; Rights Laws</a>	MO	1/1/2000
<a href="#">Montana Solar and Wind Easements</a>	MT	1/1/2000
<a href="#">Town of Chapel Hill - Land-Use Management Ordinances</a>	NC	8/11/2004

SB 2042 RELATING TO SOLAR ENERGY - COMMENTS  
 Hawai'i State Energy Office Testimony  
 February 15, 2022

<a href="#">North Carolina Solar Rights</a>	NC	7/31/2007
<a href="#">North Dakota Solar/Wind Easements and Laws</a>	ND	1/1/2000
<a href="#">Nebraska Solar and Wind Easements</a>	NE	1/1/2000
<a href="#">New Hampshire - Solar Access Laws</a>	NH	3/4/2011
<a href="#">New Jersey Solar Easement and Access Laws</a>	NJ	9/20/2007
<a href="#">City of Albuquerque - Solar Easements and Rights Laws</a>	NM	11/13/2014
<a href="#">New Mexico Solar Easements &amp; Rights Laws</a>	NM	1/1/2000
<a href="#">Nevada Solar and Wind Easement Laws</a>	NV	1/1/2000
<a href="#">New York Solar Easements &amp; Solar Rights Laws</a>	NY	1/1/2000
<a href="#">Ohio Solar Easement Laws</a>	OH	1/1/2000
<a href="#">Oklahoma Solar and Wind Access Law</a>	OK	8/12/2014
<a href="#">City of Eugene - Solar Standards</a>	OR	2/2/2001
<a href="#">City of Ashland - Solar Rights Ordinance</a>	OR	7/11/2001
<a href="#">Oregon Solar and Wind Easements/Rights Laws</a>	OR	1/1/2000
<a href="#">Portland - Solar Access Developer Guidelines</a>	OR	2/2/2001
<a href="#">Rhode Island Solar Easement Laws</a>	RI	1/1/2000
<a href="#">South Dakota Solar and Wind Easement Law</a>	SD	2/15/2010
<a href="#">Tennessee Solar Easement and Access Laws</a>	TN	1/1/2000
<a href="#">Texas Solar Rights</a>	TX	6/24/2011
<a href="#">City of Austin - Zoning Code</a>	TX	6/10/2011
<a href="#">Utah Solar Easement and Access Laws</a>	UT	1/1/2000
<a href="#">Solar Easements</a>	VA	5/15/2006
<a href="#">Solar Rights</a>	VA	5/28/2008
<a href="#">U.S. Virgin Islands - Solar and Wind Easements &amp; Rights Laws</a>	VI	5/1/2005
<a href="#">Vermont Solar Rights Laws</a>	VT	6/8/2009
<a href="#">Solar Easements &amp; Rights Laws</a>	WA	1/1/2000
<a href="#">City of Madison - Solar and Wind Access and Planning Laws</a>	WI	1/1/2000
<a href="#">Wisconsin Solar and Wind Rights</a>	WI	1/1/2000
<a href="#">West Virginia Solar Rights</a>	WV	4/19/2012
<a href="#">Wyoming Solar Rights</a>	WY	6/4/2020

Additional resources, including information on the variation in the sun's apparent position (and movement of shaded areas) by time of day and by day of the year:



**HB-2042**

Submitted on: 2/10/2022 3:27:02 PM

Testimony for EEP on 2/15/2022 9:45:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Gerard Silva	Individual	Oppose	No

Comments:

This is Bull Shit! End the Crap now or pay the price!