



**TESTIMONY OF  
THE DEPARTMENT OF THE ATTORNEY GENERAL  
THIRTY-FIRST LEGISLATURE, 2022**

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**ON THE FOLLOWING MEASURE:**

H.B. NO. 804, RELATING TO ENVIRONMENTAL PROTECTION.

**BEFORE THE:**

HOUSE COMMITTEE ON ENERGY AND ENVIRONMENTAL PROTECTION

**DATE:** Tuesday, February 8, 2022                      **TIME:** 8:50 a.m.

**LOCATION:** State Capitol, Room 325, Via Videoconference

**TESTIFIER(S):** Holly T. Shikada, Attorney General, or  
Lyle T. Leonard, Deputy Attorney General

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Chair Lowen and Members of the Committee:

The Department of the Attorney General offers the following comments on this bill.

The purpose of this bill is to accelerate the transition of the State's ground transportation to clean transportation alternatives by prohibiting the sale or offer for sale of new motor vehicles that are solely powered by fossil fuels and designed for personal, family, or household use.

The bill states “[b]eginning January 1, 2035, no new motor vehicle dealer or salesperson shall sell or offer for sale a new motor vehicle that : (1) is solely powered by fossil fuels . . . .”

These restrictions conflict with, and are preempted by the federal Clean Air Act (CAA). The CAA provides that:

No State or any political subdivision thereof shall adopt or attempt to enforce any standard relating to the control of emissions from new motor vehicles or new motor vehicle engines subject to this part. No State shall require certification, inspection, or any other approval relating to the control of emissions from any new motor vehicle or new motor vehicle engine as condition precedent to the initial retail sale, titling (if any), or registration of such motor vehicle, motor vehicle engine, or equipment.

42 U.S.C. § 7543(a).

A requirement that no new solely fossil fueled motor vehicles be sold in Hawai‘i is a mandate that only zero or partially zero emission electric or hybrid motor vehicles

can be sold in Hawai'i. Thus, it is an emission standard not allowed under the CAA.

In Am. Auto. Mfrs. Ass'n v. Cahill, 152 F.3d 196 (2d Cir. 1998), the United States Second Circuit Court of Appeals found that:

. . . the ZEV [(Zero Emissions Vehicles)] sales requirement . . . mandates only that a specified percentage of the cars sold by a manufacturer in any model year be ZEVs. Nevertheless, the ZEV sales requirement must be considered a standard "relating to the control of emissions." ZEV, after all, stands for "zero-emission vehicle," and a requirement that a particular percentage of vehicle sales be ZEVs has no purpose other than to effect a general reduction in emissions.

. . . .  
the parties seem to have assumed that, if New York's ZEV requirement is a Section 209 "standard," then it is preempted. We agree with that assumption.

Id. at 200 (emphases added).

Likewise, in Ass'n of Int'l Auto. Mfrs., Inc. v. Comm'r, Mass. Dep't of Env'tl. Prot., 208 F.3d 1 (1st Cir. 2000), the United States First Circuit Court of Appeals stated:

We agree with both the EPA and the Second Circuit that the ZEV mandates are standards as that term is used in §§ 209 and 177 of the CAA.

. . . .  
Rather than simply monitoring or enforcing compliance with some distinct numerical emissions standard, the very purpose and effect of the ZEV mandates is to effect a quantitative reduction in emissions. Cf. Motor & Equip. Mfrs. Ass'n, 627 F.2d at 1112–13. As such, they fall squarely within the language of §§ 209 and 177.

Id. at 7 (emphases added)

Even though this bill has no explicit requirement set for the manufacturers of motor vehicles, and only applies to the sellers of motor vehicles in Hawai'i, the United States Supreme Court in Engine Mfrs. Ass'n v. S. Coast Air Quality Mgmt. Dist., 541 U.S. 246 (2004), affirmed the Am. Auto. Mfrs. Ass'n v. Cahill and the Ass'n of Int'l Auto. Mfrs., Inc. v. Comm'r, Mass. Dep't of Env'tl. Prot decisions noted above, specifically concluding that:

In addition to having no basis in the text of the statute, treating sales restrictions and purchase restrictions differently for pre-emption purposes would make no sense. The manufacturer's right to sell

federally approved vehicles is meaningless in the absence of a purchaser's right to buy them.

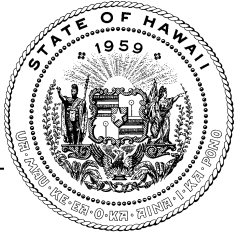
....

A command, accompanied by sanctions, that certain purchasers may buy only vehicles with particular emission characteristics is as much an "attempt to enforce" a "standard" as a command, accompanied by sanctions, that a certain percentage of a manufacturer's sales volume must consist of such vehicles. We decline to read into § 209(a) a purchase/sale distinction that is not to be found in the text of § 209(a) or the structure of the CAA.

Engine Mfrs. Ass'n v. S. Coast Air Quality Mgmt. Dist., 541 U.S. at 255.

This bill's mandate that no solely fossil fueled motor vehicles shall be sold in Hawai'i is, in effect, a mandate that all motor vehicles sold in Hawai'i be zero or partially zero emission vehicles. Thus, it is an emission standard preempted by the CAA. We respectfully suggest that this bill be held.

Thank you for the opportunity to provide comments.



# HAWAII STATE ENERGY OFFICE STATE OF HAWAII

DAVID Y. IGE  
GOVERNOR

SCOTT J. GLENN  
CHIEF ENERGY OFFICER

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

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

Tuesday, February 8, 2022  
Time 8:50 AM  
State Capitol, Conference Room 325 & Videoconference

**COMMENTS  
HB 804  
RELATING TO ENVIRONMENTAL PROTECTION.**

Chair Lowen, Vice Chair Marten, and Members of the Committee, the Hawai'i State Energy Office (HSEO) offers comments on HB 804, which prohibits the sale by motor vehicle dealers and salespersons of new motor vehicles that are solely powered by fossil fuels and designed for personal use beginning 1/1/2035.

Emissions from ground transportation accounts for over half of energy emissions as noted in the 2017 Greenhouse Gas Inventory. Ground transportation accounted for 47 percent of the transportation emissions. For Hawaii to meet its statutory target "to sequester more greenhouse gases than emitted as soon as practicable but no later than 2045", significant reductions in emissions from ground transportation will need to be made in the near to medium term. To lead by example the State has committed to meet the intended outcome of HB 804, which is limited to vehicles designed for personal, family, or household use, by 2030. Last year the legislature passed Act 74 which set a goal to transition one hundred percent of the State's light-duty vehicle fleet to zero emission vehicles by 2035. Act 74 included the provision that the State would no longer procure internal combustion engine light-duty passenger vehicles starting January 1, 2022 and no longer procure internal combustion engine light-duty multi-purpose passenger vehicles or truck starting January 1, 2030.

HSEO stands ready to work with the legislature and stakeholders to include vehicles which utilize biofuels in this bill. HSEO recommends consultation with the Attorney General's Office to ensure the requirements of the bill comply with the Clean Air Act.

HSEO defers to the appropriate agency for comment on the regulatory implementation of this measure.

Thank you for the opportunity to testify.

**Testimony of the Motor Vehicle Industry Licensing Board**

**Before the  
House Committee on Energy & Environmental Protection  
Tuesday, February 8, 2022  
8:50 a.m.  
Via Videoconference**

**On the following measure:  
H.B. 804, RELATING TO ENVIRONMENTAL PROTECTION**

Chair Lowen and Members of the Committee:

My name is Jenny Yam, and I am the Executive Officer of the Motor Vehicle Industry Licensing (Board). The Board appreciates the intent of and offers comments on this bill.

The purpose of this bill is to prohibit the sale by motor vehicle dealers and salespersons of new motor vehicles that are solely powered by fossil fuels and designed for personal use beginning January 1, 2035.

The Board expressed concerns regarding the difficulty of enforcement, its consequent impact on small businesses in Hawaii, and the possibility of increased costs passed onto to consumers.

Although this bill prohibits motor vehicle dealers (dealers) licensed in accordance with Hawaii Revised Statutes chapter 437 from selling new motor vehicles solely powered by fossil fuels, it does not preclude a Hawaii consumer from purchasing new motor vehicles solely powered by fossil fuels from an out-of-state dealer. Should this trend emerge, Hawaii dealers would be unable to compete with states that allow the sale of new motor vehicles solely powered by fossil fuels.

The Board also considered the current state of technology and the cost of batteries required to assemble a non-fossil fuel powered vehicle. The increased cost could ultimately be passed onto consumers because a motor vehicle manufacturer (manufacturer) and/or a dealer may need to sell new non-fossil fuel powered vehicles at a higher price to make a profit. Additionally, this bill does not prohibit the sale of used motor vehicles solely powered by fossil fuels. Lower-income households may not be able to afford new non-fossil fuel powered vehicles and may choose to purchase used motor vehicles powered by fossil fuels for lower prices and insurance rates; however,

additional costs may incur because used motor vehicles may require frequent repair and maintenance.

Recognizing the need for change, manufacturers are currently moving quickly to convert products to non-fossil fuel powered motor vehicles, and some are even pivoting to a 100% electric fleet. Nevertheless, manufacturers may take several years to evaluate their current assets, and then several more years to fully transition their vehicle fleet.

Thank you for the opportunity to testify on this bill.

House Committee on Energy & Environmental Protection  
Tuesday, February 8, 2022 8:50 AM  
Conference Room 325 Via Videoconference

#### TESTIMONY IN STRONG SUPPORT OF HB 804

Aloha Chair Lowen, Vice Chair Marten, and Committee Members:

Mahalo for the opportunity to share my thoughts on HB 804. I am in strong support of this measure, which represents another important step in our state's vision in achieving a 100% clean energy future for our ground transportation here in our islands. This is the right thing to do for our residents, for our economy, and for our future.

Oil is a limited and expensive resource and Hawaii's supply originates from far away regions that are not always stable. We are completely at the mercy of the global market. But we can change that by accelerating our transition to cleaner vehicles powered by alternate energy—clean electricity, hydrogen, biofuels—produced here in Island State.

In 2015 Hawaii became a leader in the climate challenge by passing the nation's first 100% clean energy goal. While we have made significant progress in so many areas, we continue to fall behind in the clean transportation sector. In order to reach a true 100% clean energy target by 2045, we need to aggressively continue our efforts to increase the number of clean energy vehicles being used by our residents, our visitors, our businesses, and our government agencies.

I commend you for introducing HB 804 as we need to take action today to insure a cleaner and better place for our children and for all future generations here in Hawaii. Passing this measure will also send a market signal to the world that Hawaii is open for new businesses focused on clean transportation—charging infrastructure companies, more alternate energy generating ventures.

I respectfully ask the House Committee on Energy and Environmental Protection to advise HB 804.

Mahalo for the opportunity to testify.

Ernest K. Nishizaki  
Principal, Acumen Advisor LLC  
Chair, Blue Planet Foundation  
Honolulu, Hawaii 96825



**HB-804**

Submitted on: 2/6/2022 9:50:29 AM

Testimony for EEP on 2/8/2022 8:50:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Henry Curtis	Life of the Land	Support	No

Comments:

Life of the Land supports this measure.



2/8/2022

EEP Committee  
Hawai'i State Capitol  
Honolulu, Hawai'i 96813

Dear Chair Lowen, Vice Chair Marten, and Members of the House Committee on Energy and Environmental Protection,

**Position: Strongly support HB804.**

The Surfrider Foundation is a national nonprofit organization dedicated to the protection and enjoyment of our ocean, waves, and beaches. Surfrider maintains a network of over 150 chapters and academic clubs nationwide, including 4 chapters in the Hawaiian Islands. The Surfrider Foundation focuses on many aspects of the environment such as coastal protection, plastic pollution, and water quality.

Transportation is the greatest contributing sector to the State of Hawaii's greenhouse gas (GHG) emissions according to the most recent statewide GHG inventory ([Hawaii Greenhouse Gas Emissions Report for 2017](#)). No longer allowing the sale of fossil fuel-powered vehicles by 2035 is a crucial step to limit the emissions from the transportation sector. These planet-warming GHG emissions exacerbate the effects of climate change, to which Hawaii is most vulnerable, including sea level rise, ocean acidification, increased frequency and intensity of weather events, and rising temperatures, among other negative effects. For the protection of our 'āina from mauka to makai, it is urgent that we rapidly decrease statewide emissions, and HB804 is an important measure to do that.

Thank you for your consideration of this testimony in support of HB804, submitted on the behalf of the Surfrider Foundation's 4 Chapters in Hawai'i and all of our members who live in the state and visit to enjoy the many coastal recreational opportunities offered by all of the islands' coastlines.

Sincerely,

Camile Cleveland  
Volunteer Policy Coordinator  
Surfrider Foundation, O'ahu Chapter



## HB 804, RELATING TO ENVIRONMENTAL PROTECTION

FEBRUARY 8, 2022 · HOUSE ENERGY AND ENVIRONMENTAL PROTECTION COMMITTEE · CHAIR REP. NICOLE E. LOWEN

**POSITION:** Support.

**RATIONALE:** Imua Alliance supports HB 804, relating to environmental protection, which prohibits the sale by motor vehicle dealers and salespersons of new motor vehicles that are solely powered by fossil fuels and designed for personal use beginning 1/1/2035.

According to a report produced by the Hawai'i Climate Change Mitigation and Adaptation Commission, global sea levels could rise more than three feet by 2100, with more recent projections showing this occurring as early as 2060. In turn, over the next 30 to 70 years, approximately 6,500 structures and 19,800 people statewide will be exposed to chronic flooding.

Additionally, an estimated \$19 billion in economic loss would result from chronic flooding of land and structures located in exposure areas. Finally, approximately 38 miles of coastal roads and 550 cultural sites would be chronically flooded, on top of the 13 miles of beaches that have already been lost on Kaua'i, O'ahu, and Maui to erosion fronting shoreline armoring, like seawalls.

Furthermore, according to research conducted by Michael B. Gerrard from Columbia Law School, modern-day slavery tends to increase after natural disasters or conflicts where large numbers of people are displaced from their homes. In the decades to come, says Gerrard, **climate change will very likely lead to a significant increase in the number of people who are displaced**

**and, thus vulnerable, to human trafficking.** While the Paris Climate Agreement of 2015 established objectives to limit global temperature increases and several international agreements are aimed at combating modern-day slavery, it is highly uncertain whether they will be adequate to cope with the scale of the problem that is likely to occur as a result of climate change.

As we work to reduce carbon emissions and stave off the worst consequences of climate change, we must begin preparing for the adverse impact of sea level rise on our shores. We are now quantifying the speed at which we must act. We cannot continue to develop the 25,800-acre statewide sea level rise exposure area—one-third of which is designated for urban use—without risking massive structural damage and, potentially, great loss of life.

Therefore, we should take steps to accelerate Hawai'i's efforts to address climate change and develop a clean economy, including by prohibiting the sale of motor vehicles that are solely powered by fossil fuels. Hawai'i's dependence on fossil fuels drains the economy of billions of dollars each year, makes residents vulnerable to the volatility of oil prices, and puts residents at increased risk in the event of a natural disaster.

Moreover, the transportation sector accounts for the use of over two-thirds of the oil imported into the state. Electric vehicles provide a viable, cost-effective alternative to vehicles that run on fossil fuels. To incentivize the transition to electric vehicles, **California and New York enacted laws phasing out the sale of new fossil fuel powered vehicles by 2035. More than twenty countries have announced or passed similar prohibitions,** including Denmark, France, Germany, Japan, the Netherlands, Norway, Singapore, Spain, and the United Kingdom.

For the sake of our keiki, we must take quick action to preserve climate for generations to come.

**Kris Coffield · Executive Director, Imua Alliance · (808) 679-7454 · [kris@imuaalliance.org](mailto:kris@imuaalliance.org)**



KauaiEV

Kauai Electric Vehicle Association  
302 Makani Rd, Kapaa, HI 96746  
808-652-0591

2022/02/06

**Comments on HB804**

Dear Chair Lowen, Vice Chair Marten, and EEP Committee members,

I am writing on behalf of KauaiEV, a grassroots organization with over 100 members on Kauai. Our members are electric vehicle drivers and we believe that EVs are the personal transportation of the future.

Some of our members feel that prohibiting the sale of new fossil fuel powered vehicles might not be necessary and could create backlash as it might be perceived as heavy-handed government interference.

We appreciate the sentiment of HB804, and it would be sending a strong message to manufacturers and make us stand in solidarity with the growing list of states and countries banning the sale by motor vehicle.

We also believe market forces and positive incentives like Carbon Cash Back will be enough to phase out fossil fuel powered vehicle manufacturing.

Mahalo for your consideration,

Sonja Kass, President KauaiEV



To: The House Committee on Energy and Environmental Protection  
From: Sherry Pollack, 350Hawaii.org  
Date: Tuesday, February 8, 2022, 8:50am

**In support of HB804**

Aloha Chair Lowen, Vice Chair Marten, and Energy and Environmental Protection Committee members,

I am Co-Founder of the Hawaii chapter of 350.org, the largest international organization dedicated to fighting climate change. 350Hawaii.org **supports HB804** that would prohibit the sale by motor vehicle dealers and salespersons of new motor vehicles that are solely powered by fossil fuels and designed for personal use beginning 1/1/2035. This measure is a needed step to ensure that Hawaii is taking meaningful action to reduce greenhouse gas emissions in the ground transportation sector. It is noted that California has already set a similar goal.

Ending the sale of new motor vehicles solely powered by fossil fuels is essential. In Hawaii, the transportation sector uses nearly two-thirds of the imported petroleum consumed and discharges over half of the state's greenhouse gas emissions, making electric transportation increasingly important to achieve a clean energy future. Electric vehicles reduce fossil fuel use and emissions and will help support the state's goal to achieve 100 percent clean energy.

In addition to significant greenhouse gas reductions achieved, EVs offer consumers a vehicle that is more efficient than conventional gasoline options and costs less to operate. Moreover, manufacturers have already been responding to both the increased demand for EVs by consumers and the announced government bans across the globe with several manufactures pledging to go all-electric in the near future.

Bottomline, zero-emission vehicles are better for the environment and the economy. They are the future for Hawaii, a future we need to begin now.

Mahalo for the opportunity to testify in support of this important legislation.

Sherry Pollack  
Co-Founder, 350Hawaii.org

## Hawaii Electric Vehicle Association

hawaiiev.org  
info@hawaiieva.com



February 6, 2022

### **COMMENTS on HB804 (RELATING TO ENVIRONMENTAL PROTECTION)**

Dear Chair Lowen and Vice-Chair Marten, and members of the Energy and Environmental Protection Committee,

#### **Hawaii Electric Vehicle Association offers comments on HB804.**

Hawaii EV appreciates the intention of HB804. It is consistent with the State's effort to decarbonize its energy and transportation sectors. This aspirational goal will further inspire businesses and individuals to consider transitioning to clean transportation.

There are already several factors that are already serving to accelerate our transition away from internal combustion engine (ICE) cars:

- Over 30 governments have announced future bans on selling new internal combustion engine (ICE) cars. These bans have been a wake-up call for manufacturers. Several manufacturers have also announced plans to halt the production of ICE cars<sup>1</sup>.
- Competition is heating up in the electric vehicle (EV) space. Major manufacturers have been delivering EVs or have announced their EV pipeline. Tesla's success has invited new EV-only players like Rivian and Lucid and forced legacy automakers to step up with their EV offerings, including electric versions of popular models, e.g., Ford F150.
- Competition and economies of scale have made long-range EVs more affordable and are now 'perfect substitutes<sup>2</sup>' for ICE cars.
- Increasing awareness of the low maintenance requirements and lower total cost of ownership of EVs.
- Awareness of the climate crisis and the need to reduce emissions.
- Awareness of the possibility of a carbon tax and other factors that will result in increased gas prices.

Hawaii's announcement of a ban will further reinforce the need to transition to a clean energy reality.

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<sup>1</sup> <https://www.chargedfuture.com/countries-and-states-with-gas-car-bans/> and <https://www.nytimes.com/2021/11/09/climate/cars-zero-emissions-cop26.html>

<sup>2</sup> <https://theconversation.com/can-a-future-ban-on-gas-powered-cars-work-an-economist-explains-150590>



Importantly, our efforts to address barriers to the transition to clean transportation, e.g., expansion of public charging, purchase incentives, and workforce training and development will serve to increase general readiness for this much-needed shift away from fossil fuels.

Thank you for the opportunity to comment on HB804.

Sincerely,

A handwritten signature in black ink, appearing to be a stylized name.

President  
Hawaii EV Association

**Hawaii EV Association** is a grassroots non-profit group representing electric vehicle owners in Hawaii. Our mission is to accelerate the electrification of transportation through consumer education, policy advocacy, and electric vehicle charging infrastructure expansion. For more information, please visit [hawaiiev.org](http://hawaiiev.org).





40 Hobron Avenue  
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February 7, 2022

**TESTIMONY ON HB 804, RELATING TO ENVIRONMENTAL PROTECTION**

***Prohibits the sale of new motor vehicles solely powered by fossil fuels beginning 1/1/2035***

**Support with modifications**

Rep. Nicole E. Lowen, Chair  
Committee on Energy & Environmental Protection  
Hearing at 8:50AM on Tuesday, February 8, 2022, Conference Room 325, State Capitol

Aloha Chair Lowen and Members of the Committee,

Pacific Biodiesel **supports the intent of HB804, but modifications are required.** This bill currently states that its purpose “is to accelerate the transition of the State’s ground transportation to clean transportation alternatives” by way of a “prohibition on the sale of new motor vehicles that are solely powered by fossil fuels.” The content of this bill contains these flaws:

- In HB804 Section 2, it states that beginning 1/1/2035, “no new motor vehicle dealer or salesperson shall sell or offer for sale a new motor vehicle that is solely powered by fossil fuels.” This incorrectly implies that a new car dealer or salesperson dictates what fuel type the vehicle owner will ultimately use. They do not. Car dealerships sell the vehicles; owners choose the fuel. ***The fact is any vehicle with an internal combustion engine can be fueled at any time with a biofuel blend – such as E85 (for gasoline engines) or a high blend of biodiesel (in diesel engines) – and that fuel type is solely the choice of the vehicle owner.***
- The bill goes on to state in Section 2 (b3) that it should not be construed this bill is prohibiting vehicles “partially powered by fossil fuel.” That indicates HB804 is endorsing the use of vehicles partially powered by biofuels – in other words, ***allowing vehicles fueled with a blend of fossil fuel and biofuel. If this is the intention of the bill, we agree IF the proportion of biofuel is significant, ie E10 is not a great biofuel, but E85 is. B5 is not a significant biofuel but B99 is.***

Our preference would be a more urgent approach for legislation related to Hawaii’s clean transportation – one that requires ANY combustion engine vehicle in Hawaii to begin using high blends of biofuels. **Prohibit the use of 100% fossil fuel** and require the immediate use of biofuel blends in existing vehicles.

(continued)

As the United Nations reported in its scathing IPCC report last summer, humanity is now facing a dire “code red” as damaging effects caused by our planet’s climate in crisis continue to escalate. As a society we must utilize every available solution to help reduce greenhouse gas emissions, NOW.

HB804 offers as justification that the “State of Hawaii has a goal of reducing the consumption of petroleum in ground transportation by approximately 385,000,000 gallons per year.” This can be accomplished rapidly with the use of biofuels – a transition which simply requires vehicle owners to switch their fuel, not purchase an entirely new vehicle.

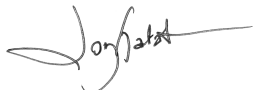
Today, especially in Hawaii, biofuels are in fact a more effective method to reduce greenhouse gas (GHG) emissions than EVs. The California Air Resources Board published a report last year that showed California’s greenhouse gas reductions from biomass-based diesel engines were **3x** the total reductions from electric vehicles.\*

In Hawaii, where the carbon intensity of our electricity grid is significantly higher than the US average, even greater GHG reduction would be achieved with the use of **100% biodiesel** made from recycled local used cooking oil compared to EVs charged by an electricity grid that's currently only 30% powered by renewables. Please note:

- The diesel engine was invented to run on peanut oil – the first biofuel!
- The diesel ENGINE is not the problem. Petroleum diesel FUEL – fossil fuel – is the problem.
- Biodiesel helps reduce greenhouse gas emissions by 86% compared to petroleum diesel fuel.
- Biodiesel is a direct replacement for petroleum diesel fuel.
- Biodiesel is 100% renewable, biodegradable and non-toxic.
- Biodiesel can be used in any diesel engine without modification.
- Biodiesel is by far the lowest lifecycle greenhouse gas transportation fuel in Hawaii today. When the electricity grid becomes 100% renewable and batteries are produced using 100% renewable energy, then electric vehicles may match the lifecycle GHG of 100% biodiesel fueled vehicles.

Waiting for the world to someday (maybe) transition all transportation vehicles to “zero emission” EVs is not soon enough. Each day of delay allows cumulative CO2 to continue accumulating in the atmosphere and exacerbating the destructive effects of climate change. And this approach ignores current biofuel solutions that utilize existing vehicles and existing infrastructure to help reduce GHG emissions NOW.

Mahalo,



Joy Galatro  
Marketing Director  
Pacific Biodiesel  
[jgalatro@biodiesel.com](mailto:jgalatro@biodiesel.com)  
(808) 866-5104

\*Biobased Diesel Daily, 5/15/21: <https://www.biobased-diesel.com/post/biobased-diesel-outperforms-electric-vehicles-3-to-1-in-california-ghg-reductions>

**HB-804**

Submitted on: 2/7/2022 7:45:28 AM

Testimony for EEP on 2/8/2022 8:50:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Kelly King	Pacific Biodiesel Technologies	Comments	No

Comments:

Mahalo for the opportunity to testify and back up my colleague, Joy Galatro, with the perspective of a local company that has been producing biodiesel in Hawaii for over 25 years and providing one of the few solutions that truly models the circular economy. I am testifying on behalf of Pacific Biodiesel, and as an individual involved in local and national policy-making.

I support the intent of this measure; however, it will not solve the problem of fossil fuel emissions in Hawaii in the time frame needed to do our part for GreenHouse Gas emission reduction. As, a board member of ICLEI USA, a member of the Local Government Advisory Committee to the U.S. EPA and a recent delegate to COP26, I'd like to speak to the real immediate solution I have advocated for at the legislature for years. The better solution would be to mandate renewable fuel blends as soon as possible.

HB804 is unclear whether vehicles that could use biofuels will be allowed, and, if so, how does it work to put the onus consumers to buy the right fuel? If the intent is to end internal combustion engines, while reports have shown that biodiesel has reduced more GHG emissions in California than EVs, that would result in limitations to our State's ability to reach our CO2 reduction goals and also will limit the ability of our local community to participate in the economy of renewable energy through local farming and local processing jobs and revenue.

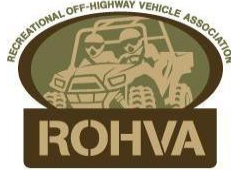
Please reconsider instead a statewide mandate of renewable fuels that can be made in the State of Hawaii rather than merely changing out automobile purchase mandates that, while moving in the right direction, do not add any additional benefits to our local economy or promote the equity our people need to be able to participate in their future fuels.

Mahalo nui loa for your consideration,

Kelly Takaya King



**MOTORCYCLE  
INDUSTRY  
COUNCIL**



February 7, 2022

The Honorable Nicole Lowen  
Chairwoman, House Energy and Environmental Protection Committee  
415 South Beretania St.  
Hawaii State Capitol, Room 425  
Honolulu, HI 96813

**RE: EXCLUDE MOTORCYCLES AND OFF-HIGHWAY VEHICLES FROM HB 804**

Dear Chairwoman Lowen:

As we noted in correspondence to you last year, hundreds of companies represented by the Motorcycle Industry Council (MIC)<sup>1</sup>, the Specialty Vehicle Institute of America (SVIA)<sup>2</sup>, and the Recreational Off-Highway Vehicle Association (ROHVA)<sup>3</sup> oppose HB 804, which would prohibit new motor vehicle dealers from selling or offering for sale a new motor vehicle that is solely powered by fossil fuels.

Motorcycle, all-terrain vehicle (ATV) and recreational off-highway vehicle (ROV or sometime referred to as side by sides) manufacturers - collectively known as powersports manufacturers - are committed to environmental responsibility and to reducing emissions. Many are making significant financial and research investments in new vehicle technologies, including electric options. However, compared to the automobile industry, the powersports industry does not have anywhere near the same resources to meet such an aggressive goal. While the 2035 deadline outlined in your legislation is ambitious, it is infeasible for powersports manufacturers to meet. The result would possibly mean putting manufacturers – as well as their sales and service employees – out of business.

Excluding powersports, and motorcycles in particular, from HB 804 would have little effect on reducing air pollution in Hawaii. According to Federal Highway Administration statistics<sup>4</sup>, the number of motorcycles registered in Hawaii in 2020 was approximately 5 percent of the number of automobiles. Nationally, the average miles traveled per light-duty vehicle in 2019<sup>5</sup> was 11,520 whereas the average motorcycle mileage in 2019 was 2,290. That number may be even smaller for your island state. Overall, the percentage contribution of motorcycles to vehicle miles traveled in the state is negligible.

We urge that HB 804 be amended to clarify that motorcycles and off-highway vehicles are not included in the provisions of the bills.

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<sup>1</sup> The Motorcycle Industry Council (MIC) is a not-for-profit, national trade association representing several hundred manufacturers, distributors, dealers and retailers of motorcycles, scooters, motorcycle parts, accessories and related goods, and allied trades.

<sup>2</sup> The Specialty Vehicle Institute of America (SVIA) is the national not-for-profit trade association representing manufacturers, dealers, and distributors of all-terrain vehicles (ATVs) in the United States. SVIA's primary goal is to promote safe and responsible use of ATVs.

<sup>3</sup> The Recreational Off-Highway Vehicle Association (ROHVA) is a national, not-for-profit trade association formed to promote the safe and responsible use of recreational off-highway vehicles (ROVs – sometimes referred to as side-by-sides or UTVs) manufactured or distributed in North America. ROHVA is also accredited by the American National Standards Institute (ANSI) to serve as the Standards Developing Organization for ROVs. More information on the standard can be found at <https://rohva.org/ansi-standard/>.

<sup>4</sup> <https://www.fhwa.dot.gov/policyinformation/statistics/2020/mv1.cfm>

<sup>5</sup> <https://www.fhwa.dot.gov/policyinformation/statistics/2019/vm1.cfm>

Thank you very much for your consideration of these comments. Should you have any questions, please contact me at 703-416-0444 ext. 3202.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott P. Schloegel". The signature is written in a cursive, slightly slanted style.

Scott P. Schloegel  
Senior Vice President, Government Relations

cc: House Energy and Environmental Protection Committee Members

**HB-804**

Submitted on: 2/7/2022 8:22:01 AM

Testimony for EEP on 2/8/2022 8:50:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Ted Bohlen	Climate Protectors Hawai'i	Support	No

Comments:

To: The Honorable Nicole Lowen, Chair, the Honorable Lisa Marten, Vice Chair, and Members of the House Committee on Energy and Environmental Protection

From: Climate Protectors Hawai'i (by Ted Bohlen)

Re: Hearing HB804 RELATING TO ENVIRONMENTAL PROTECTION.

Tuesday February 8, 2022, 8:50 a.m., by videoconference

Aloha Chair Lowen, Vice Chair Marten, and Members of the House Committee on Energy and Environmental Protection!

Position: Climate Protectors Hawai'i **Support HB804**

**Vehicles powered by fossil fuels are a very large source of the fossil fuel greenhouse gases that are causing our climate emergency. We need to transition to zero-emission vehicles to mitigate this emergency! 2035 is sufficient time to develop necessary infrastructure and make the transition. Please pass this bill!**

Mahalo!

Climate Protectors Hawai'i (by Ted Bohlen)



Written Testimony by

**David H. Rolf, Executive Director, Hawaii Automobile Dealers Association**

for the

**COMMITTEE ON ENERGY AND ENVIRONMENTAL PROTECTION**

Tuesday, February 8, 2022

Time 8:50 AM

State Capitol, via Videoconference

providing COMMENTS on **HB 804**

**RELATING TO ENVIRONMENTAL PROTECTION**

Chair Lowen, Vice Chair Marten, and members of the committee:

HADA strongly supports Hawaii's transition to electric vehicles, however, in this testimony we are providing comments expressing our concerns about the language in this bill that prohibits the sale of certain vehicles by 2035, and suggesting deletion of that compliance date, and replacing it with language supporting a working group to address the many transition issues involved.

Auto manufacturers are investing hundreds of billions of dollars into the transition to zero emission vehicles. However, many have not indicated that 2035 will be a date when their last internal combustion engine platform will be produced.

Some states that are developing zero emission standards, like California, thus have flexibility built into their standards, with credit programs for selling certain volumes of zero emission vehicles, and exclusions for small volume automakers, for example.

California has established "a target" date of 2035 relating to the sale of zero emission vehicles but allows for the process of compliance by auto manufacturers to be developed by an agency which has sought input from many stakeholders in the process.

Dealers have acquired a great storehouse of data on the automotive industry and are particularly aware of customers' needs and interests. If the mandate in this bill was to be replaced by a working group established to address milestones on the path to a state zero emissions goal in ground transportation, HADA dealers could provide helpful input.

HADA testimony on HB804, page 2

In support of the transition to electric vehicles, HADA dealers believe that what is needed now, more than anything, is to have all stakeholders working together on a path to EV adoption. HADA's dealers have joined with the National Automobile Dealers Association's position in being "all-in" on electric vehicles.

HADA's dealers thank you for the opportunity to testify, asking that this bill's mandate be replaced by a working group tasked with providing strategies for a transition to zero emission vehicles.





**SanHi**

GOVERNMENT STRATEGIES

A LIMITED LIABILITY LAW PARTNERSHIP

DATE: February 7, 2022

TO: Representative Nicole Lowen  
Chair, Committee on Energy and Environmental Protection

FROM: Tiffany Yajima

RE: **H.B. 804 – Relating to Environmental Protection**  
**Hearing Date: Tuesday, February 8, 2022 at 8:50 a.m.**  
**Conference Room: Video Conference**

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Dear Chair Lowen, Vice Chair Marten, and Members of the Committee:

On behalf of our client the Alliance for Automotive Innovation (“Auto Innovators”) we respectfully oppose H.B. 804 unless it is amended with a realistic, achievable plan for Hawaii’s transition to a zero-emission transportation future.

The Alliance for Automotive Innovation is the leading advocacy group for the auto industry, representing 39 innovative manufacturers and value chain partners who together produce nearly 99 percent of all light-duty vehicles sold in the United States. Members include U.S. and international motor vehicle manufacturers, original equipment suppliers, technology and other automotive-related companies and trade associations.

Auto Innovators are not opposed to the goal of a 100% Zero Emission Vehicle (ZEV) future. Quite the contrary, automakers have strongly demonstrated their commitment to ZEVs. In fact, virtually every automaker has announced broad electrification plans, with several setting aspirational targets of 100% ZEVs in the 2035 to 2045 timeframe. However, make no mistake: this is a dramatic transformation that will impact a vast swath of the U.S. economy – labor, home builders, automakers, suppliers, commercial builders, dealers, utilities, the oil industry, battery manufacturers, public and private fleets, hydrogen providers, and most importantly, customers.

By 2025, automakers will have invested \$330 billion in industry funds for ZEVs and vehicle electrification. Currently, automakers offer 60 different models of ZEVs to California consumers. Over the course of the next few years, that number will grow to over 130 models.

As noted, Auto Innovators support the transition to a zero-emission transportation future if plans and requirements are in place. Unfortunately, at this time Hawaii does not have extensive plans in place and more is needed to support this transition.

While ZEVs are tremendous vehicles that offer great promise, consumer acceptance of ZEVs presents a challenge to the development of a market for these vehicles. Given that the average ZEV is priced over \$12,000 to a comparable gasoline powered vehicle, many consumers need state-funded purchase rebates to make ZEVs more attractive to potential purchasers.

Additionally, consumers are reluctant to purchase ZEVs if they are not confident that they can easily and safely refuel their vehicles. As such, Auto Innovators put forth the following EV Infrastructure Guiding Principles to significantly advance EV acceptance and use:

- **Provide no-compromise mobility for EV drivers and fleets by rapidly scaling up access to charging infrastructure at home and work, around town, and on the highway.**
  - EV drivers need access to convenient, accessible, affordable, and reliable charging for their vehicles wherever they live, work, and play. Hydrogen fueling stations need to be built to support fuel cell electric vehicles.
  - Public and utility investments are needed to help EV charging networks reach a sustainable scale and to ensure infrastructure is available in more challenging settings, including multifamily housing, underserved communities, and rural areas.
  
- **Accelerate the pace of infrastructure deployment through public-private partnerships and collaboration across government entities, industries, and stakeholder groups, and by building on the experience of early-acting states.**
  - By working together, we can accelerate infrastructure deployment, fully realize the benefits of transportation electrification, and minimize the cost of this transition.
  
- **Adopt utility rates and programs for EV charging that ensures it is affordable, compensates EV drivers if providing grid services, supports fleet electrification, and enables high-powered charging business models.**
  - EV charging should offer drivers cost savings relative to traditional petroleum-based fuels and be designed to encourage charging when the grid is less congested and as renewable energy is abundant.
  - Utility rate design can make or break the business case for fleet electrification and deployment of charging infrastructure, especially high-powered charging. Utilities and their regulators should address this potential barrier.
  
- **Prepare for timely, cost-effective grid upgrades to support EV charging.**
  - EV drivers need to be confident that grid technology is reliable, resilient, and able to accommodate their charging needs.
  - Collaboration among utilities, automakers, EV charging companies, fleet owners, local governments and others will be critical.
  
- **Ensure that all utility customers, especially those in underserved communities, benefit from transportation electrification.**
  - Transportation electrification at scale offers many potential benefits including savings on transportation costs for EV drivers, lower overall energy cost,

- valuable grid services, lower GHG emissions, and improved air quality around high-traffic areas including fleet depots, ports, and freeways.
- Cost savings realized from EV rates and programs should be shared across participating EV owners and other utility customers.
- **Adopt building codes that require level 2 chargers in 100 percent of new residential parking spaces at new multi-unit dwellings and single-family homes, and measurably increase the number of new workplace and public chargers based on dwell time.**
- Installing EV chargers during new construction can be five times as cost effective as retrofitting to add chargers.

Without the significant and necessary changes to implement a zero-emission transportation future for the state, we ask the committee to defer this measure. Thank you for the opportunity to submit this testimony.



## HOUSE COMMITTEE ON ENERGY & ENVIRONMENTAL PROTECTION

February 8, 2022, 8:50 A.M.

Video Conference

### TESTIMONY IN SUPPORT OF HB 804, SUGGESTED AMENDMENT

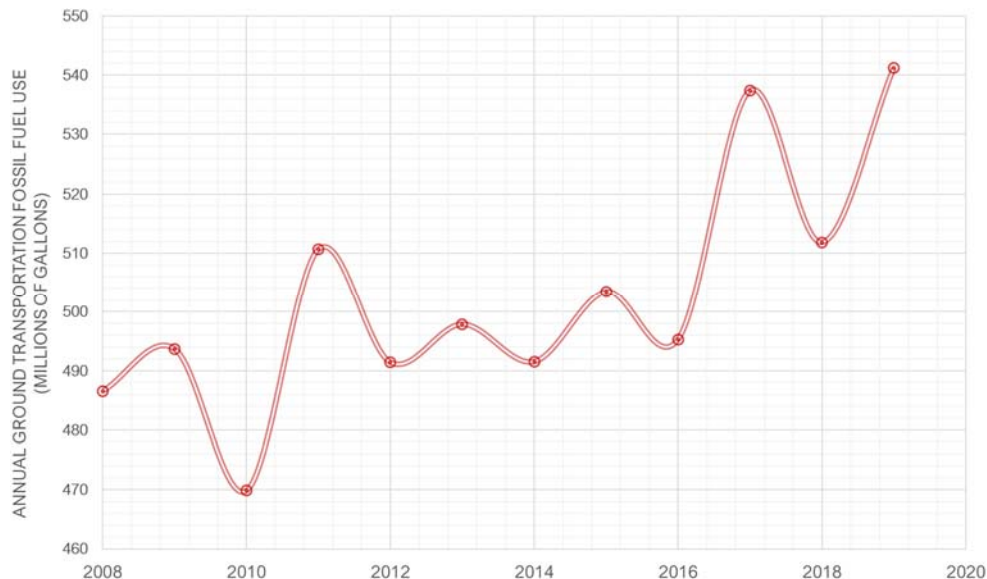
Aloha Chair Lowen, Vice Chair Marten, and members of the Committee:

Blue Planet Foundation **supports HB 804**, which phases out the sale of new cars powered solely by fossil fuels by 2035. This measure is a needed and important first step to ensure that Hawai'i is taking meaningful action to reduce greenhouse gas emissions in the ground transportation sector.

### Existing policies and initiatives have failed to reduce carbon emissions from Hawai'i's cars and trucks

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While Hawai'i has made substantial progress on policies, programs, and actions to reduce burning fossil fuels in the electricity sector, **we are falling short on decarbonizing our ground transportation sector**. Greenhouse gas emissions from transportation have been climbing steadily for years prior to the coronavirus pandemic.



[info@blueplanetfoundation.org](mailto:info@blueplanetfoundation.org)

126 Queen Street # 204 • Honolulu, Hawai'i 96813 • 808-954-6161 • [blueplanetfoundation.org](http://blueplanetfoundation.org)

Without deliberate and forward-thinking leadership, we risk accelerating this trend of increased transportation emissions as Hawai'i residents go back to school and the office and as tourists return, especially with lower than usual oil prices. In addition, the quicker we turn our private and public fleets over to electric, the faster we turn the spigot off that leaks billions out of our economy annually to buy gasoline. Mobility should be powered by homegrown power, not imported carbon.

Even today, over one million gasoline-powered vehicles are on the roads in Hawai'i—and from them comes nearly five million metric tons of climate-changing carbon pollution. Although we now have over 18,000 electric vehicles (EVs) on the state's roads, they still only make up a mere 1.7% of all registered vehicles in the state.<sup>1</sup> Hawai'i drivers are increasingly choosing larger, heavier vehicles, which are often less fuel efficient. According to the Hawaii Auto Dealers Association, pickup trucks and sport utility vehicles—still largely powered solely by fossil fuels—accounted for 69.2% of Hawai'i vehicle sales in 2019, a sharp increase from 48.7 per cent in 2012.<sup>2</sup>

## Clean transportation is part of a brighter, resilient future

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House Bill 804 can help Hawai'i shift this trajectory. In addition to climate benefits, zero-emission vehicles, like EVs, have myriad community benefits including quieter roads, less air pollution, and lower vehicle maintenance costs for residents and fleet operators. EVs will also play an integral role in Hawai'i's clean energy future. While EVs that use the existing electricity grid to charge still use mostly fossil fuel, they use that fuel more effectively than burning fuel directly in a typical gasoline engine. This is why EVs are much less expensive to “fuel” per mile than their gasoline counterparts.

Further, by using stored electrical energy, EVs can take advantage of intermittent solar, wind, and other clean energy resources. Most vehicles sit idle over 22 hours of the day, so they can become *de facto* energy storage devices if their batteries are plugged into the grid when they are not in use. With smart grid infrastructure in place, EVs become an essential component to electricity load and clean energy resource balancing—in addition to providing clean mobility solutions for Hawai'i residents.

## Others have already committed to a zero-emission future

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In September 2020, California made headlines when Governor Gavin Newsom signed an executive order directing the state to require **all new cars and passenger trucks sold in California to be zero-emission vehicles by 2035**, after a summer of devastating wildfires fueled by climate-change-induced extreme weather. California joined the ranks of several countries who have also recognized that fossil fuel-powered ground transportation needs to end. **Canada** announced in June 2021 that the country would ban the sale of new fuel-burning

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<sup>1</sup> DBEDT Monthly Energy Trends, January 2022 (<http://dbedt.hawaii.gov/economic/energy-trends-2/>).

<sup>2</sup> Hawaii Dealer, "Hawaii Auto Dealers Association, 2020 Spring Edition, [https://issuu.com/traveler-media/docs/hawaiidealer\\_2020\\_spring\\_edition](https://issuu.com/traveler-media/docs/hawaiidealer_2020_spring_edition).

cars and light-duty trucks by 2035. **France, Spain, Taiwan, and Singapore** plan to phase out gas-powered car sales by 2040. **Britain announced in November 2020 that it will ban the sale of new gasoline and diesel cars by 2030**, a decade earlier than its previous commitment of 2040. **Ireland, Sweden, Netherlands, Israel, Iceland, and Denmark** have set a similar goal for 2030. And **Norway** plans to have all new cars, buses, and light commercial vehicles be zero emission vehicles by 2025.

Auto manufacturers are similarly making bold commitments to phase out fossil-fuel-powered vehicles. **General Motors—one of the world’s largest automakers**—announced in January 2021 that it would phase out petroleum-powered cars and trucks and **sell only vehicles that have zero tailpipe emissions by 2035**. As a mere sampling of other examples, **Ford** is launching all-electric versions of its popular Mustang and F-150, and **Volkswagen** is targeting electric options for all of its vehicle models by 2030. At least 10 automakers have committed to making only electric vehicles in the coming years.<sup>3</sup>

## Conclusion and Suggested Amendment

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Through HB 804, Hawai'i can take decisive action to rise to the challenge of climate change. Fossil fuel-powered internal combustion engines are simply incompatible with a stable climate. Not only can this bill draw a line in the sand on continuing to rely on imported fossil fuel to power our passenger vehicles, it can spur markets; encourage auto-dealers to bring diverse zero-emission models to Hawai'i; and spark innovation, collaboration, and alignment in ongoing and future planning efforts for Hawai'i's transportation and clean energy network as a whole.

### **Suggested Amendment:**

Blue Planet suggests that the measure be amended to set the same goal as California: Require that all new cars sold in the state be *zero-emission* by at least 2035. Although it is an important first step, by continuing an indefinite reliance on vehicles that are partially powered by climate-changing fossil fuels, the current version of HB 804 falls short of fully preparing Hawai'i for a clean transportation future. The quickening impacts of climate change demand that we transition more swiftly and urgently away from fossil fuels. If the Committee is inclined to adopt a more phased approach, Blue Planet suggests that HB 804 keep the 2035 target for hybrid vehicles, but set a 2040 target to prohibit the sale of new internal combustion engine motor vehicles.

Thank you for the opportunity to provide testimony.

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<sup>3</sup> See *Every carmaker that's truly going all electric to compete with Tesla*, <https://mashable.com/article/traditional-carmakers-going-all-electric-vehicles>

**HB-804**

Submitted on: 2/3/2022 3:55:10 PM

Testimony for EEP on 2/8/2022 8:50:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Camile Cleveland	Individual	Support	No

Comments:

Transportation is the largest source of Hawaii's emissions - it is time to set a target for the complete phase out of fossil fuel-powered internal combustion engine vehicles. As the Hawaiian islands are fairly small in size, the state would also be the perfect location for a high number of electric vehicles (EVs), as drivers are not driving long enough distances to experience "range anxiety" - the consumer concern of not having access to an EV charger. I strongly support this bill and the 2035 target it sets for the transition to electric transportation.

**HB-804**

Submitted on: 2/3/2022 5:12:44 PM

Testimony for EEP on 2/8/2022 8:50:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Barbara Barry	Individual	Support	No

Comments:

Aloha,

I strongly support HB804.

Mahalo,

Barbara Barry



**HB-804**

Submitted on: 2/4/2022 3:59:47 PM

Testimony for EEP on 2/8/2022 8:50:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Denise Boisvert	Individual	Support	No

Comments:

I FULLY SUPPORT HB804.

Thank you for your kind consideration, concern and support for the future!

**HB-804**

Submitted on: 2/4/2022 4:52:09 PM

Testimony for EEP on 2/8/2022 8:50:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Kim Jorgensen	Individual	Support	No

Comments:

Dear Senators,

Just because I'll be far too old to drive by the time the bill would finally take effect doesn't mean that I don't care about how important it is now to plan to be independent of fossil fuels, especially when it comes to gas guzzling vehicles.

The fact that these beautiful islands are surrounded by water should make every resident and visitor alike want such independence.

If Ford Motor Co just announced that it is planning to invest up to an additional \$20 billion to build its EVs, passing this bill should be very easy!

Sincerely,

Kim Jorgensen

**HB-804**

Submitted on: 2/5/2022 5:14:52 AM

Testimony for EEP on 2/8/2022 8:50:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
B.A. McClintock	Individual	Support	No

Comments:

In 2015, Hawaii became a leader in climate policy by passing the nation's first-ever 100% renewable energy goal. While significant progress has been made in many areas, our state is falling short on decarbonizing our ground transportation sector, which accounts for nearly a third of Hawaii's greenhouse gas emissions. In order for our islands to reach the 100% clean energy target by 2045, we need to phase out the use of fossil fuel vehicles, replacing gas-powered cars with electric vehicles instead.

HB 804 is a necessary step in not only achieving our state's climate goals but also reducing the future environmental impacts on our islands. Zero-emission vehicles, like EVs, are becoming more popular, with several manufacturers pledging to go all-electric in the near future. EVs have a variety of community benefits as well, including less noise and air pollution, and lower maintenance costs.

Through HB 804, Hawai'i can join other places across the globe that have already taken this step to phase out fossil fuel vehicles. By passing this law, Hawai'i can once again be a leader on climate action, while continuing to build a more resilient future for our environment and our economy.

Please pass HB 804 to support Hawaii's clean transportation future.

**HB-804**

Submitted on: 2/5/2022 11:48:11 AM

Testimony for EEP on 2/8/2022 8:50:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Scott Kidd	Individual	Support	No

Comments:

If Hawaii is to have any hope of not getting left behind in environmental protection, we have to shift away from fossil fuels and quickly. If you believe in protecting and preserving the land, air, and sea that we should be living in harmony with, then the shift away from destructive practices such as burning fossil fuels has to end. The clock is ticking and every day that goes by is compounding the negative effects of how we interact with our environment. I feel bad for the children and grandchildren that will inherit our generations and previous generations mistakes, missteps, and misguidance. The world we leave behind and the way forward to improve that start today, not tomorrow but today through a clear and conscious effort to protect and preserve the environment. Lets stop the burning of fossil fuels today and continue to leap forward in new and innovative ways to live in harmony with our world.

**HB-804**

Submitted on: 2/5/2022 5:12:37 PM

Testimony for EEP on 2/8/2022 8:50:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Carolyn Eaton	Individual	Support	Yes

Comments:

Aloha, Chair Lowen, Vice Chair Marten and members of this Committee. My name is Carolyn Eaton, and I support HB 804. Our State passed the nation's first 100% renewable energy goal in 2015. Since then State-owned light-duty vehicles have received your attention, and transition to clean vehicles in this fleet was the achievement of the Session last year. We must not allow "coasting into the future" from there. Internal combustion engines are still powering most of the vehicles we drive. They emit close to a third of our greenhouse gas emissions. Mandating the phase-out of new solely fossil fuel-powered vehicles by 2035 should be our aim and achievement this year. The drafters of HB 804 build in 12-13 years to allow a smooth, equitable transition for our population. As time passes, we will all learn whether this timeline represents the urgency required for our Islands' well-being and that of other low-lying communities, for our well-being is tied to theirs. Please pass this measure and advocate with me for its becoming law this year. Mahalo for your attention, hard work and understanding that we are all in this boat together.

## HB 804 TESTIMONY

To: House Committee on Energy and Environmental Protection  
Hearing on Feb. 8, 2022 at 8:50 a.m.

From: John Kawamoto

Position: Support

Climate change is accelerating as greenhouse gases in the atmosphere rise relentlessly. Storms, wildfires, droughts, heat waves, and floods have become more extreme and more prevalent, portending a catastrophic global future. Drastic action is needed to avert the collapse of civilization as we know it.

This bill seeks to reduce the emissions of greenhouse gases by prohibiting the sale of personal motor vehicles that are solely powered by fossil fuels in 2035. It is one of a multitude of steps that must be taken.

For the foregoing reasons, I support this bill.

**HB-804**

Submitted on: 2/6/2022 4:26:29 PM

Testimony for EEP on 2/8/2022 8:50:00 AM

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

Comments:

Are you trying to start a WAR!!!

**HB-804**

Submitted on: 2/6/2022 6:25:28 PM

Testimony for EEP on 2/8/2022 8:50:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Kaitlyn P Jacobs	Individual	Support	No

Comments:

I support this measure, thank you!



**HB-804**

Submitted on: 2/6/2022 9:27:14 PM

Testimony for EEP on 2/8/2022 8:50:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Elena Arinaga	Individual	Support	No

Comments:

I support this bill because it is critical to do all we can to address global warming. Also, Hawaii is currently dependent on imported fuel from countries like Russia and Libya. We need to be more self-sufficient and import less from overseas.

**HB-804**

Submitted on: 2/7/2022 12:24:26 PM

Testimony for EEP on 2/8/2022 8:50:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Keala Dickhens	Individual	Support	No

Comments:

TO: House Committee on Energy & Environmental Protection

SUBJECT: Support for HB 804, RELATING TO ENVIRONMENTAL PROTECTION,  
February 8, 2022, 8:50 AM hearing

Aloha Chair Lowen, Vice Chair Marten, and members of the Committee,

I am testifying in support of House Bill 804, which prohibits the sale of new solely gas-powered vehicles by 2035. In order to reach our renewable energy goal, we will need to electrify, and cars and trucks are a major contributor to GHG emissions. We also need to build the infrastructure to support EV and ensure transportation equity and community climate resilience.

In 2015, Hawaii became a leader in climate policy by passing the nation's first-ever 100% renewable energy goal. While significant progress has been made in many areas, our state is falling short on decarbonizing our ground transportation sector, which accounts for nearly a third of Hawaii's greenhouse gas emissions. In order for our islands to reach the 100% clean energy target by 2045, we need to phase out the use of fossil fuel vehicles, replacing gas-powered cars with electric vehicles instead.

HB 804 is a necessary step in not only achieving our state's climate goals but also reducing the future environmental impacts on our islands. Zero-emission vehicles, like EVs, are becoming more popular, with several manufacturers pledging to go all-electric in the near future. EVs have a variety of community benefits as well, including less noise and air pollution, and lower maintenance costs.

Through HB 804, Hawai'i can join other places across the globe that have already taken this step to phase out fossil fuel vehicles. By passing this law, Hawai'i can once again be a leader on climate action, while continuing to build a more resilient future for our environment and our economy.

Please pass HB 804 to support Hawaii's clean transportation future.

Thank you for considering my testimony.

Keala Dickhens, Honolulu, HI, 96816



TO: Members of the Committee on Energy & Environmental Protection

FROM: Natalie Iwasa  
808-395-3233

HEARING: 8:50 a.m. Tuesday, February 8, 2022

SUBJECT: HB 804 – Banning Sale Fossil-Fueled Vehicles – **OPPOSED**

Aloha Chair Lowen and Committee Members,

Thank you for allowing me the opportunity to provide testimony on HB 804, which would prohibit the sale of new motor vehicles that are solely powered by fossil fuels by vehicle dealers and salespeople beginning 1/1/35. I oppose this bill. My three main concerns are battery disposal, electric battery production and consumer choice.

### **Battery Disposal**

We've been told that electric vehicle batteries are recyclable, but no such facilities exist in Hawaii. In fact, there are only a handful of recycling facilities in the U.S.

- How much will it cost to ship used electric vehicle batteries elsewhere for recycling?
- Are we going to count on China to accept old batteries and work out a plan to ship them off only to find out down the road that they will no longer take batteries from the U.S. (as has happened with some of our recyclable materials)?

### **Battery Production**

Batteries for electric vehicles are mainly made out of lithium, cobalt, nickel and manganese. These metals must be mined, and that process is not devoid of environmental and human costs and concerns. For example, lithium from rock mines, currently the main source, requires a lot of water and releases large amounts of CO<sub>2</sub> in the process. Cobalt mining in places like the Democratic Republic of Congo has raised concerns about the human cost, as miners use hand tools to dig underground and risk fatal accidents.

### **Consumer Choice**

The market seems to be headed toward more EV use. Don't artificially increase demand for EVs by banning the sale of fuel-based vehicles.

**Please vote "no" on this bill.**