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# A BILL FOR AN ACT

RELATING TO ENVIRONMENTAL PROTECTION.

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

1           SECTION 1. The legislature finds that a majority of the  
2 road and highway surfaces in the State are made of asphalt  
3 pavement, a mixture that consists primarily of aggregate (small  
4 rocks, sand, gravel), asphalt cement or binder (liquid petroleum  
5 product), and other substances. According to the United States  
6 Department of Transportation, Federal Highways Division, Office  
7 of Infrastructure, asphalt is the single most recycled material  
8 in the world. Recycling of asphalt pavement has proven to be a  
9 cost-effective method of pavement rehabilitation. When properly  
10 selected, all the different types of recycling methods are  
11 usually cheaper than the conventional rehabilitation methods  
12 because of the savings realized as a result of requiring fewer  
13 virgin materials. In Hawaii, there are additional cost and  
14 carbon savings associated with the reduced need to import raw  
15 and virgin materials.

16           The legislature further finds that according to the  
17 National Asphalt Paving Association, in 2021, approximately



1 2,600,000 metric tons of carbon dioxide equivalent was spared  
2 from the atmosphere through using reclaimed asphalt pavement in  
3 new mixtures, 94,600,000 tons of reclaimed asphalt pavement was  
4 recycled into new mixes, ninety-five per cent of asphalt mixture  
5 was reclaimed from old asphalt pavements and put back to use in  
6 new pavements, 630,000 tons of recycled asphalt shingles were  
7 put into asphalt mixes, and 26,000,000 barrels of virgin asphalt  
8 binder was replaced by recycled binder from reclaimed asphalt  
9 pavement and recycled asphalt shingles.

10 The legislature also finds that the State could do more to  
11 incorporate a circular asphalt model into its practices through  
12 requiring a maximized rate of recycling reclaimed asphalt  
13 pavement into new asphalt mixtures and further, by requiring  
14 proper storage, stockpiling, and disposal of old asphalt that is  
15 not immediately recycled or that is deemed non-recyclable, so as  
16 to reduce instances of the indiscriminate incorporation of old  
17 asphalt into the environment. Additionally, because petroleum  
18 is a base ingredient in asphalt pavement, extra caution should  
19 be taken when managing the use of this material to prevent harm  
20 to health and the environment.



1           Accordingly, the purpose of this Act is to require the  
2 department of transportation to conduct a two-year study on  
3 asphalt recycling, including options to maximize usage of  
4 recycled asphalt.

5           SECTION 2. (a) The department of transportation shall  
6 conduct a two-year study of asphalt recycling, including options  
7 to maximize usage of recycled asphalt across the State.

8           (b) The study shall determine maximized use of recycled  
9 asphalt by:

- 10           (1) Establishing best practices for paving projects;
- 11           (2) Requiring that all asphalt processing, stockpiling,  
12 and disposal procedures prohibit distribution and  
13 incorporation of planed asphalt pavement into the  
14 environment;
- 15           (3) Establishing standards, procedures, and certifications  
16 for disposal of planed asphalt pavement through  
17 application as landfill cover for planed asphalt  
18 pavement that cannot be recycled;
- 19           (4) Determining water retention, permeability, and other  
20 features of recycled asphalt; and



1 (5) Determining administrative penalties to ensure  
2 compliance with recycled asphalt practices in the  
3 State.

4 (c) The department of transportation may request, as  
5 appropriate, the assistance of other relevant stakeholders to  
6 complete the study.

7 SECTION 3. The department of transportation shall submit a  
8 report of its findings and recommendations, including any  
9 proposed legislation, to the legislature no later than twenty  
10 days prior to the convening of the regular session of 2025.

11 SECTION 4. This Act shall take effect on June 30, 3000.



**Report Title:**

Asphalt Recycling; DOT; Study; Report

**Description:**

Requires the Department of Transportation to conduct a two-year study on the maximized use of recycled asphalt across the State. Requires a report to the Legislature. Effective 6/30/3000.  
(SD1)

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

