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# A BILL FOR AN ACT

RELATING TO ENERGY.

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

1           SECTION 1. The legislature finds that climate change  
2 caused by carbon emissions from burning fossil fuels poses a  
3 serious threat to the economic well-being, public health,  
4 natural resources, and environment of Hawaii. The legislature  
5 also finds that meeting the State's decarbonization goals and  
6 other emissions-reduction commitments necessitates the rapid  
7 transition to zero-emission vehicles that utilize local,  
8 renewable energy sources.

9           The legislature further finds that while there is growing  
10 adoption of electric vehicles among Hawaii residents, the lack  
11 of adequate vehicle charging infrastructure presents a barrier  
12 to widespread adoption, particularly for residents who are  
13 renters or who live in apartment buildings. This barrier  
14 creates an equity issue for low-income families who are unable  
15 to access the savings and other benefits associated with  
16 electric vehicle ownership because they lack access to charging  
17 infrastructure.



1           The legislature also finds that the cost of constructing  
2 parking stalls that will accommodate electric vehicle charging  
3 systems up front, also referred to as electric vehicle-ready  
4 parking stalls, is approximately one-tenth the cost of  
5 retrofitting already-built parking stalls to accommodate  
6 electric vehicle charging systems. For market-priced housing,  
7 parking stalls are already being constructed to be electric  
8 vehicle-ready because of demand and, in some cases, county  
9 requirements. However, parking stalls for affordable housing  
10 units are not constructed to be electric vehicle-ready because  
11 of the added cost and because affordable housing is exempt from  
12 electric vehicle-ready county requirements.

13           The purpose of this Act is to provide incentives for  
14 electric vehicle-ready new construction for affordable housing  
15 by providing rebates for eligible electric vehicle-ready parking  
16 stalls for new construction of affordable housing.

17           SECTION 2. Section 269-72, Hawaii Revised Statutes, is  
18 amended to read as follows:

19           "**§269-72 Electric vehicle charging [~~system~~;**  
20 **infrastructure; rebate program.** (a) The public utilities  
21 commission, in consultation with electric vehicle stakeholders



1 and the Hawaii state energy office, shall administer a rebate  
2 program that incentivizes the installation or upgrade of [~~an~~]  
3 electric vehicle charging [~~system,~~] infrastructure as provided  
4 in this section, and may contract with a third-party  
5 administrator pursuant to section 269-73 to operate and manage  
6 the rebate program.

7 (b) An applicant may be eligible for a rebate under the  
8 rebate program if the applicant:

9 (1) Installs a new electric vehicle charging system where  
10 none previously existed to either:

11 (A) An alternating current Level 2 station with one  
12 or more ports that provide electricity to one or  
13 more electric vehicles; or

14 (B) A direct current fast charging system; [~~or~~]

15 (2) Upgrades an existing electric vehicle charging system  
16 to either:

17 (A) An alternating current Level 2 station with one  
18 or more ports that provide electricity to one or  
19 more electric vehicles; or

20 (B) A direct current fast charging system[~~+~~]; or



1       (3) Installs an electric vehicle-ready parking stall in  
2       new construction of affordable housing; provided that  
3       fifty per cent of the total number of electric  
4       vehicle-ready parking stalls installed in a project  
5       shall be eligible for a rebate under this paragraph.

6       (c) Subject to subsection (f), rebates shall be  
7 distributed as follows:

8       (1) Each eligible installation of an electric vehicle  
9 charging system shall receive:

10       (A) Up to \$2,000 for the installation of an  
11 alternating current Level 2 station with one  
12 port;

13       (B) Up to \$4,500 for the installation of an  
14 alternating current Level 2 station with two or  
15 more ports; and

16       (C) Up to \$35,000 for the installation of a direct  
17 current fast charging system; ~~and~~

18       (2) Each eligible upgrade of an electric vehicle charging  
19 system shall receive:

20       (A) Up to \$1,300 for the upgrade to an alternating  
21 current Level 2 station with one port;



1 (B) Up to \$3,000 for the upgrade to an alternating  
2 current Level 2 station with two or more ports;  
3 and

4 (C) Up to \$28,000 for the upgrade to a direct current  
5 fast charging system[-]; and

6 (3) Each eligible installation of an electric vehicle-  
7 ready parking stall for new construction of affordable  
8 housing shall receive up to \$1,750 for the  
9 installation of an alternating current Level 2  
10 circuit.

11 (d) The public utilities commission shall:

12 (1) Prepare any forms that may be necessary for an  
13 applicant to claim a rebate pursuant to this section;  
14 and

15 (2) Require each applicant to furnish reasonable  
16 information to ascertain the validity of the claim,  
17 including but not limited to documentation necessary  
18 to demonstrate that the installation or upgrade for  
19 which the rebate is claimed is eligible.

20 (e) This section shall apply to electric vehicle charging  
21 systems that are installed or upgraded after December 31,



1 2019[-], and electric vehicle-ready parking stalls that are  
2 installed after July 1, 2024.

3 (f) Applicants shall submit applications to the public  
4 utilities commission within twelve months of the date that the  
5 newly installed or upgraded charging system is placed into  
6 service or the electronic vehicle-ready parking stall is  
7 installed to claim a rebate from the [~~electric vehicle charging~~  
8 ~~system~~] rebate program. Failure to apply to the commission  
9 within twelve months of the date that the newly installed or  
10 upgraded charging system is placed into service or the electric  
11 vehicle-ready parking stall is installed shall constitute a  
12 waiver of the right to claim the rebate. Rebates shall be  
13 subject to available funds, and the program administrator shall  
14 not approve additional rebates for the remainder of the fiscal  
15 year after program funds have been fully exhausted.

16 (g) Nothing in this section shall alter taxes due on the  
17 original purchase or upgrade price of an electric vehicle  
18 charging system or the infrastructure for an electric vehicle-  
19 ready parking stall before the application of the rebate. Any  
20 rebate received pursuant to the electric vehicle charging



1 ~~[system]~~ infrastructure rebate program shall not be considered  
2 income for the purposes of state or county taxes.

3 (h) In administering the electric vehicle charging  
4 ~~[system]~~ infrastructure rebate program, the public utilities  
5 commission shall give consideration to the following guidelines:

6 (1) Priority should be given to electric vehicle charging  
7 systems that are publicly available; serve multiple  
8 tenants, employees, or customers; serve electric  
9 vehicle fleets; support the visitor industry in  
10 transitioning to clean transportation; or serve low-  
11 income, moderate-income, or environmental justice  
12 communities; and to electric vehicle-ready parking  
13 stalls in new construction of affordable housing  
14 units;

15 (2) Electric vehicle charging ~~[system]~~ infrastructure  
16 rebates should enhance broader public clean energy and  
17 grid resiliency goals by supporting deployment of  
18 electric vehicle charging systems that can regulate  
19 their time of use, be networked and co-optimized with  
20 other electric vehicle charging systems, and otherwise



1 provide grid services or other benefits to the utility  
2 and electric grid;

3 (3) Electric vehicle charging systems that serve a single  
4 person, such as a reserved parking stall or a single-  
5 family residence, shall not be eligible for rebates;

6 (4) Electric vehicle charging [~~system~~] infrastructure  
7 rebates should support accessibility of charging to as  
8 many electric vehicle drivers as feasible; and

9 (5) The program administrator may propose new or modified  
10 guidelines to be considered in addition to those  
11 specified in this subsection and should have the  
12 flexibility to make programmatic adjustments due to  
13 market changes, technological advancements, and levels  
14 of participation to ensure the prudent use of taxpayer  
15 funds and to effectively manage the program budget.

16 (i) Nothing in this section shall prevent an entity from  
17 claiming in the same taxable year a rebate under the electric  
18 vehicle charging infrastructure rebate program for installation  
19 or upgrade of an electric vehicle charging system and  
20 installation of an electric vehicle-ready parking stall for new  
21 construction of affordable housing.





1           ~~(i)~~ (j) As used in this section:

2           "Affordable housing" means housing that is affordable to a  
3 household with an income at or below one hundred forty per cent  
4 of the area median income as determined by the United States  
5 Department of Housing and Urban Development.

6           "Alternating current Level 2 charging station", commonly  
7 referred to as "Level 2 charging station", means an electric  
8 vehicle charging system that utilizes alternating current  
9 electricity providing at least three kilowatts and means a  
10 system that:

11           (1) Is capable of providing electricity from a non-vehicle  
12 source to charge the batteries of one or more electric  
13 vehicles;

14           (2) Meets recognized standards and protocols including,  
15 but not limited to, Society of Automotive Engineers  
16 (SAE) J1772™ of SAE International and Tesla protocol;  
17 and

18           (3) Is designed and installed in compliance with article  
19 625 of the National Electrical Code to appropriate  
20 Nationally Recognized Testing Laboratories' standards.



1 "Applicant" means an individual; non-profit or for-profit  
2 corporation; local, state, or federal government agency;  
3 homeowner association; or any other eligible entity as defined  
4 under rules adopted for the electric vehicle charging system  
5 rebate program.

6 "Direct current fast charging system", commonly referred to  
7 as "DC fast charging system", means an electric vehicle charging  
8 system that utilizes direct current electricity providing forty  
9 kilowatts or greater and:

- 10 (1) Is capable of providing electricity from a non-vehicle  
11 source to charge the batteries of one or more electric  
12 vehicles;
- 13 (2) Meets recognized standards and protocols, including,  
14 but not limited to, Society of Automotive Engineers  
15 (SAE) J1772™ of SAE International, Tesla protocol, and  
16 CHAdeMO protocol; and
- 17 (3) Is designed and installed in compliance with article  
18 625 of the National Electrical Code to appropriate  
19 Nationally Recognized Testing Laboratories' standards.



1 "Electric vehicle charging system" has the same meaning as  
2 Electric Vehicle Supply Equipment as defined in article 625.2 of  
3 the National Electrical Code, as amended.

4 "Electric vehicle-ready" means having a full-circuit  
5 installation that includes two hundred eight volt three phase or  
6 two hundred forty volt single phase power, forty-ampere panel  
7 capacity, raceway, wiring, receptacle, and overprotection  
8 devices similar to a dryer circuit."

9 SECTION 3. Sections 243-3.5(a), 269-33(e) and 269-73,  
10 Hawaii Revised Statutes, are amended by substituting the phrase  
11 "electric vehicle charging infrastructure", or similar term,  
12 wherever the phrase "electric vehicle charging system" appears,  
13 as the context requires.

14 SECTION 4. Statutory material to be repealed is bracketed  
15 and stricken. New statutory material is underscored.

16 SECTION 5. This Act shall take effect on July 1, 2024.

17

INTRODUCED BY: Maile E. Love

JAN 19 2024



# H.B. NO. 2100

**Report Title:**

Electric Vehicle Charging Infrastructure; Electric Vehicle-ready Parking Stalls; Affordable Housing; Rebates; HHFDC

**Description:**

Provides rebates for eligible electric vehicle-ready parking stalls for new construction of affordable housing.

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