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Biofuels Statutory Citations

State of Hawaii

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STATE OF HAWAII

This compilation of state statutory citations focuses predominantly on biofuels laws in effect January 1, 1970 through December 31, 2013. It is intended to serve as a researcher-friendly inventory of state laws by providing the formal title of relevant legislation, the standard legal citation for each statute, the applicability of the statute (ethanol, biodiesel, or both), and a brief description of the law. Some statutes and regulations listed do not specifically relate to biofuels, but are included because of their complementary relationship to the evolution of biofuels law in the state. These statutes are placed in reverse chronological order using the date of the most recent amendment to the statute. Many biofuels laws were enacted as amendments to previously passed laws.

Title	Citation	Applicability	Description
Energy Information Reporting (2010)	HAW. REV. STAT. § 486J-3	Both	Requires monthly reporting of the amount of fuel, including biofuels, imported and exported, refined and manufacture, or otherwise distributed in each county and on each island.
Alternative Fuel Development Support (2010)	HAW. REV. STAT. § 196-42	Both	Establishes a state alternative fuels standard: 10% by 2010; 15% by 2015; 20% by 2020; and 30% by 2030. Cellulosic ethanol is to be considered as equivalent to 2.5 gallons of non-cellulosic ethanol.
Renewable Energy Facilitator (2009)	HAW. REV. STAT. § 201-12.5	Both	Creates a full-time position for facilitating renewable energy projects throughout the state. Their role is to assist in the permitting and implementation of infrastructure projects for development of renewable energy, including biofuels.
Light-duty fleet requirements (2009)	HAW. REV. STAT. § 103D-412	Both	Requires state agencies to purchase alternative fuel vehicles when adding or replacing light-duty vehicles in their fleet. Agencies can apply for exemptions if vehicles of these specs would not meet their needs.

Renewable Portfolio Standards (2009)	HAW. REV. STAT. §§ 269-91 TO 296-96	Both	Public utilities must meet certain standards regarding percentage of electricity produced by renewable sources. They may use biofuels to satisfy the renewable energy requirements.
Alcohol Fuel Tax Exemption (2009)	HAW. REV. STAT. § 237-27.1 (REPEALED)	Both	Alcohol fuel, defined as biomass-derived alcohol fuel or fuel mixture, sold for consumption or use is exempt from state excise tax. Exemption expires June 30, 2009.
Agricultural Loan Program (2008)	HAW. REV. STAT. § 155-1	Both	Includes biodiesel and ethanol production within the definition of "farm sustainable projects" that may be eligible for state loan program funds.
Aquaculture Loan Program (2008)	HAW. REV. STAT. § 219-2	Both	Includes biodiesel and ethanol production within the definition of "aquaculture sustainable projects" that may be eligible for state loan program funds.
Public Land Disposition (2008)	HAW. REV. STAT. § 171-95	Both	Allows the board of land and natural resources, without public auction, to lease public lands to renewable energy producers for up to 65 years. Renewable energy producer includes any producer of biofuels or grower of plant or animal materials used primarily for the production of biofuels
Energy Facility Siting (2008)	HAW. REV. STAT. § 201N-1	Both	Renewable energy facility includes a facility that produces or transmits biofuels
Classification of lands (2007)	HAW. REV. STAT. §§ 205-2	Both	Allows land zoned as agricultural district to be used for biofuel production for public, private, and commercial use.
Ethanol Facility Tax Credit (2007)	HAW. REV. STAT. § 235-110.3	Ethanol	Income tax credit available for qualifying ethanol production facilities in operation on or before January 17, 2017. The credit is equal to 30% of its production capacity, if between 500,000 and 15 million gallons per year.

License taxes (2007)	HAW. REV. STAT. § 243-4	Both	Provides a reduced fuel license tax rate for distributors of alternative fuel, including ethanol, methanol, and biodiesel.
Energy Feedstock Program (2007)	HAW. REV. STAT. § 141-9	Both	Establishes an Energy Feedstock Program within the Department of Agriculture to promote and support the production of energy feedstock within the state.
State fleet efficiency requirements (2006)	HAW. REV. STAT. § 196-9	Both	Requires state agencies to purchase the most fuel-efficient vehicles that meet their needs. State agencies are also required to purchase alternative fuel and ethanol blended gasoline when available.
Biofuel Purchase Preference (2006)	HAW. REV. STAT. § 103D-1012	Both	State agency contracts for the purchase of diesel fuel are to be awarded with preference to bids for biofuels or blends of biofuels and petroleum fuel.
Renewable Fuel Standard (2006)	HAW. REV. STAT. § 486J-10	Ethanol	Sets state renewable fuel standard, requiring the state's unleaded gasoline to contain at least 10% ethanol.
Fuel Tax – Definitions (2001)	HAW. REV. STAT. § 243-1	Both	The state considers ethanol, biodiesel and blends containing ethanol or biodiesel to be "alternative fuels" for fuel tax purposes.
Business Investment Tax Credit (2001)	HAW. REV. STAT. § 235-7.3	Both	Provides a tax credit for taxpayers that make high technology business investments. These investment projects can include research related to non-fossil fuel energy related technology. Available through December 31, 2010.
Shortage of Petroleum (1994)	HAW. REV. STAT. § 125C-3	Ethanol	In times of a shortage of petroleum products, the governor may purchase and resell or otherwise distribute ethanol that has been produced within the state.
Solid Waste Management (1991)	HAW. REV. STAT. § 342G-26	Ethanol	As part of the state's integrated waste management system an effort should be made to identify ways to convert waste to liquid fuel such as ethanol.