

JAN 19 2022

A BILL FOR AN ACT

RELATING TO CLIMATE CHANGE MITIGATION.

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

1 SECTION 1. The legislature finds that tourism, as the
2 State's primary industry, has a significant impact on Hawaii's
3 environment and public services. A 2019 report, "Destinations
4 at Risk: The Invisible Burden of Tourism", commissioned by the
5 Travel Foundation and co-published with Cornell University's
6 Center for Sustainable Global Enterprise and EplerWood
7 International, describes how destinations must uncover and
8 account for tourism's hidden costs, referred to as the
9 "invisible burden", to protect and manage vital destination
10 assets worldwide. According to the report, failing to do so
11 puts ecosystems, cultural wonders, and community life at
12 increasing risk and places the tourism industry on a weak
13 foundation.

14 The legislature further finds that the impacts of cars,
15 buses, shuttles, and other road vehicles, which emit carbon
16 dioxide and other greenhouse gases, contribute to climate
17 change. To ensure the quality of life of residents, the health



1 of the environment, and continued value for the visitor
2 experience, management efforts to maintain the State's
3 infrastructure and environment are imperative.

4 The legislature recognizes that fees having an
5 environmental focus and that are designed to manage the impacts
6 of tourism on climate change and the environment are essential
7 to the State's management efforts.

8 Accordingly, the purpose of this Act is to assess a climate
9 change mitigation impact fee for persons renting, leasing, or
10 utilizing tourism-related vehicles in the State, and to apply
11 the resulting revenue toward protecting Hawaii's natural
12 resources and environment, which are essential to the quality of
13 life of residents and the State's tourism-based economy.

14 SECTION 2. Chapter 171, Hawaii Revised Statutes, is
15 amended by adding two new sections to part I to be appropriately
16 designated and to read as follows:

17 "§171-A Climate change mitigation impact fee. (a)
18 Beginning July 1, 2022, every rental motor vehicle customer
19 shall pay to the department a climate change mitigation impact
20 fee for renting, leasing, or utilizing a rental motor vehicle.



1 (b) The climate change mitigation impact fee shall be
2 assessed to each rental motor vehicle customer at a charge of
3 \$ per day, or any portion of a day, that the rental
4 motor vehicle is rented or leased by the rental motor vehicle
5 customer.

6 (c) All fees collected pursuant to subsection (a) shall be
7 deposited to the credit of the general fund; provided that,
8 beginning July 1, 2024, all fees collected pursuant to
9 subsection (a) shall be deposited to the credit of the climate
10 change mitigation special fund established pursuant to section
11 171-B.

12 (d) The department shall establish rules pursuant to
13 chapter 91 necessary for the collection of climate change
14 mitigation impact fees.

15 (e) For the purposes of this section, "rental motor
16 vehicle" means:

17 (1) Any gas-powered vehicle that is rented or leased or
18 offered for rent or lease in the State, whether for
19 personal or commercial use, for a period of six months
20 or less;



1 (2) Any vehicle, including vans, minibuses, and buses used
2 for the purpose of transporting persons or luggage for
3 pleasure or sightseeing trips, or transporting persons
4 to pleasure or sightseeing cruises or destinations;
5 and

6 (3) A moped as defined in section 286-2; provided that the
7 moped is rented or leased by a rental motor vehicle
8 customer.

9 "Rental motor vehicle" does not include any vehicle that is used
10 solely for the purpose of transporting individuals to and from a
11 place of work or a public or private school or of transporting
12 persons with disabilities.

13 **§171-B Climate change mitigation special fund.** (a) There
14 is established in the state treasury a special fund to be known
15 as the climate change mitigation special fund into which shall
16 be deposited, beginning July 1, 2024:

17 (1) All fees collected pursuant to section 171-A;

18 (2) Appropriations made by the legislature for deposit
19 into the special fund; and



1 (3) Donations and contributions made by private
2 individuals or organizations for deposit into the
3 special fund.

4 (b) Moneys in the climate change mitigation special fund
5 shall be used by the department for:

6 (1) Climate change mitigation;

7 (2) Environmental management and planning;

8 (3) Environmental conservation;

9 (4) Management and protection of natural resources and
10 systems;

11 (5) Environmental awareness and education; and

12 (6) Sustainable tourism practices."

13 SECTION 3. In codifying the new sections added by section
14 2 of this Act, the revisor of statutes shall substitute
15 appropriate section numbers for the letters used in designating
16 the new sections in this Act.

17 SECTION 4. New statutory material is underscored.



1 SECTION 5. This Act shall take effect upon its approval.

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INTRODUCED BY: 
By Request



S.B. NO. 2102

Report Title:

Mauui County Council Package; Department of Land and Natural Resources; Climate Change Mitigation Impact Fee; Climate Change Mitigation Special Fund

Description:

Assesses a climate change mitigation impact fee on every customer who rents, leases, or utilizes a rental motor vehicle. Establishes a climate change mitigation special fund. Specifies that the impact fees collected shall be deposited to the credit of the general fund; provided that, beginning 7/1/2024, the impact fees shall be deposited to the credit of the climate change mitigation special fund.

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