

COUNCIL OF THE COUNTY OF MAUI

INFRASTRUCTURE MANAGEMENT COMMITTEE

October 7, 2011

**Committee
Report No.** _____

Honorable Chair and Members
of the County Council
County of Maui
Wailuku, Maui, Hawaii

Chair and Members:

Your Infrastructure Management Committee, having met on September 12, 2011, makes reference to County Communication 11-206, from Councilmember Gladys C. Baisa, transmitting a proposed bill entitled “A BILL FOR AN ORDINANCE AMENDING SECTION 16.18B.109, MAUI COUNTY CODE, PERTAINING TO ELECTRIC VEHICLE METER INSTALLATION”.

The purpose of the proposed bill is to allow, by permit, one additional electric watt-hour meter to be installed at a legal dwelling unit to serve as a charging meter for an electric vehicle (“EV”).

Your Committee notes that Section 16.18B.109, Maui County Code, currently restricts each legal dwelling unit to one electric watt-hour meter.

Your Committee further notes that Maui Electric Company, Ltd. (“MECO”) is offering special EV charging rates through a three-year pilot program that expires on September 30, 2013. One component of this program is a Schedule EV-R (Residential) rate that requires a separate meter for EV charging. This option is not yet available in Maui County due to the Maui County Code restriction prohibiting a second meter from being installed.

The Engineering Manager from MECO stated that the proposed bill would allow customers to enroll in Schedule EV-R and would afford them the option of installing a separate meter to be used only for the charging of their vehicle under the EV-R rate.

The Director of Public Works stated that, should this bill become law, he will work with MECO, homeowners, and electrical contractors to ensure that the meters are properly installed and utilized.

Your Committee notes that as the number of EVs increase, the County will need to develop some mechanism to receive revenue from EV users to make up for the equivalent gas tax that EVs will not be generating.

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Your Committee voted 4-1 to recommend passage of the proposed bill on first reading and filing of the communication. Committee Chair Cochran, Vice-Chair Victorino, and members Carroll and Couch voted "aye". Committee member Hokama voted "no". Committee members Mateo and Pontanilla were excused.

Your Infrastructure Management Committee RECOMMENDS the following:

1. That Bill _____ (2011), attached hereto, entitled "A BILL FOR AN ORDINANCE AMENDING SECTION 16.18B.109, MAUI COUNTY CODE, PERTAINING TO ELECTRIC VEHICLE METER INSTALLATION", be PASSED ON FIRST READING and be ORDERED TO PRINT; and
2. That County Communication 11-206 be FILED.

This report is submitted in accordance with Rule 8 of the Rules of the Council.



ELLE COCHRAN, Chair

ORDINANCE NO. _____

BILL NO. _____ (2011)

A BILL FOR AN ORDINANCE AMENDING SECTION 16.18B.109, MAUI COUNTY CODE, PERTAINING TO ELECTRIC VEHICLE METER INSTALLATION

BE IT ORDAINED BY THE PEOPLE OF THE COUNTY OF MAUI:

SECTION 1. Section 16.18B.109, Maui County Code, is amended by amending subsection 109-3 to read as follows:

"109-3. Miscellaneous provisions. (a) The electrical continuity of metal raceway or metal sheathed cable that contains a conductor other than service conductors shall be secured by installing two locknuts, one inside and one outside of boxes, cabinets, or similar enclosures.

(b) Water heaters shall be approved for outdoor installation or be protected from the weather, and the circuit conductors at the water heater shall have a minimum temperature rating of ninety degrees centigrade and shall be enclosed in a flexible metal conduit or other raceway or wiring method acceptable to the director.

(c) Electric watt-hour meters shall not be installed to serve illegal dwelling units. No more than one electric watt-hour meter shall be installed per legal dwelling unit on the property. Detached garages and other residential type structures shall be energized from the same electric service metering equipment that energizes a legal dwelling unit on the property.

For the purpose of this subsection, an "illegal dwelling unit" is a dwelling unit that is not in compliance with statutes, ordinances, or rules.

(d) One additional electric watt-hour meter may be installed to serve a legal dwelling unit, provided that:

(1) The meter measures electricity used solely for the purpose of charging an electric vehicle; and

(2) An electrical permit is issued for the installation of the meter socket and charger by the director, pursuant to article 104 of this chapter.

(3) In addition to any other electrical permit information required to be provided under this chapter, the permit applicant for the additional electric vehicle charging watt-hour meter shall provide the department with a current certificate of motor vehicle registration, for each electric vehicle to be charged by electricity measured by the meter, to confirm that the owner or occupant is the registered owner of the electric vehicle.

(4) Within fifteen days after either:

a. An electric vehicle ceases to be under the registered ownership of the dwelling unit owner or occupant; or

b. If the registered owner of the electric vehicle no longer resides at the dwelling unit, the property owner or registered electric vehicle owner shall notify the department and the electric utility company responsible for the installation of the electric meter of the occurrence of the event described in (a) or (b). Upon receiving this information, the electric utility company shall de-energize the electric vehicle meter socket, and the County electrical inspector shall confirm the meter socket has been de-energized.

[(d)](e) Commercial and industrial structures and agricultural buildings that comply with all applicable ordinances and regulations may have individual electric watt-hour meters, upon approval of the director. Non-habitable agricultural structures or buildings for which individual electrical service and metering is requested shall be used for valid commercial agricultural activities only. Agricultural buildings for noncommercial uses shall be energized from farm dwelling electrical service metering equipment on the same property.

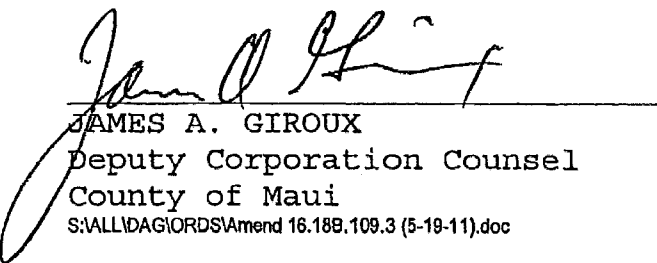
[(e)](f) No electrically charged fences or structures shall be installed, maintained, or used; except that the director may grant approval in writing of such a fence or structure upon finding that measures adequate to protect the safety of the public have been taken by the person installing, maintaining, or using the fence or structure. The director shall require a hold harmless agreement executed by the property owner, agreeing to defend, indemnify, and

hold harmless the County from any claim for loss, liability, or damage arising from the electrically charged fence(s) or structure(s), and shall collect a processing fee as set forth in the annual budget ordinance. The contents of the hold harmless agreement shall be in a form acceptable to the director and the corporation counsel, and shall be recorded with the State of Hawaii, Bureau of Conveyances, or Land Court, State of Hawaii. The property owner or permittee shall pay for all recordation fees."

SECTION 2. Material to be repealed is bracketed. New material is underscored. In printing this bill, the County Clerk need not to include the brackets, the bracketed material, or the underscoring.

SECTION 3. This ordinance shall take effect upon its approval.

APPROVED AS TO FORM
AND LEGALITY:



JAMES A. GIROUX
Deputy Corporation Counsel
County of Maui
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