
A BILL FOR AN ACT

RELATING TO TRANSPORTATION.

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

1 SECTION 1. Section 251-1, Hawaii Revised Statutes, is
2 amended as follows:

3 1. By adding a new definition to be appropriately inserted
4 and to read:

5 "Car-sharing organization" means a non-profit organization
6 that operates a membership program under which its members are
7 permitted to use vehicles from the organization's fleet on an
8 hourly or other incremental basis less than twenty-four hours."

9 2. By amending the definition of "rental motor vehicle" or
10 "vehicle" to read:

11 "Rental motor vehicle" or "vehicle" means every vehicle
12 [which] that is:

- 13 (1) Self-propelled and every vehicle [which] that is
14 propelled by electric power, but [which] is not
15 operated upon rails, [which] and that is rented or
16 leased or offered for rent or lease in this State,
17 whether for personal or commercial use, for a period
18 of six months or less; and



(2) Designed to carry seventeen passengers or fewer.

"Rental motor vehicle" or "vehicle" shall not include:

(1) Mopeds as defined in section 286-2;

(2) Any trucks, truck-tractors, tractor-semitrailer combinations, or truck-trailer combinations, with:

(A) A manufacturer's nominal carrying capacity of one thousand pounds or more; and

(B) A barrier or separation between the operator's compartment and the cargo area; ~~and~~

(3) Cargo vans with no more than two seats, including the driver's seat; provided that vans with a recreational vehicle converter package and vans with quick release passenger seats shall not be classified as cargo vans ~~[-]~~; and

(4) Vehicles that are rented by a car-sharing organization to members of its membership program on an hourly or other incremental basis for a period of up to six hours per day per vehicle."

SECTION 2. Section 251-2, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

"(a) There is levied and shall be assessed and collected each month a rental motor vehicle surcharge tax of \$7.50 a day,



1 except that after June 30, 2012, the tax shall be \$3 a day, or
2 any portion of a day that a rental motor vehicle is rented or
3 leased[-]; provided that a car-sharing organization shall be
4 exempt from the rental motor vehicle surcharge tax on rentals of
5 vehicles to members of its membership program for up to six
6 hours per day per vehicle. The rental motor vehicle surcharge
7 tax shall be levied upon the lessor; provided that the tax shall
8 not be levied on the lessor if:

9 (1) The lessor is renting the vehicle to replace a vehicle
10 of the lessee that is being repaired; and

11 (2) A record of the repair order for the vehicle is
12 retained either by the lessor for two years for
13 verification purposes or by a motor vehicle repair
14 dealer for two years as provided in section 437B-16."

15 SECTION 3. Statutory material to be repealed is bracketed
16 and stricken. New statutory material is underscored.

17 SECTION 4. This Act shall take effect on July 1, 2050.



Report Title:

Rental Motor Vehicle and Tour Vehicle Surcharge Tax; Car-Sharing

Description:

Exempts from the rental motor vehicle surcharge tax, vehicles that are rented by a car-sharing organization to members of its membership program on an hourly basis for up to six hours per day per vehicle. Effective 7/1/2050. (SD2)

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