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# A BILL FOR AN ACT

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RELATING TO AUTONOMOUS VEHICLES.

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

1 PART I

2 SECTION 1. Chapter 286, Hawaii Revised Statutes, is  
3 amended by adding a new section to part XI to be appropriately  
4 designated and to read as follows:

5 "§286- Automated vehicles; supervisor required. (a)

6 Any automated vehicle used by a motor carrier to transport  
7 passengers shall have a supervisor on board at all times.

8 (b) A motor carrier that uses an automated vehicle to  
9 transport passengers shall:

10 (1) Ensure that each supervisor is properly licensed to  
11 operate the vehicle; and

12 (2) Establish a program to provide each supervisor with  
13 training and instruction related to the operation,  
14 capabilities, and limitations of the automated  
15 vehicle."



SECTION 2. Section 286-201, Hawaii Revised Statutes, is amended by adding four new definitions to be appropriately inserted and to read as follows:

"Automated driving system" means the hardware and software that are collectively capable of performing the entire dynamic driving task on a sustained basis, regardless of whether the system is limited to a specific operational design domain, if any.

"Automated vehicle" means a vehicle equipped with an automated driving system capable of performing all aspects of the dynamic driving task within its operational design domain, if any.

"Dynamic driving task" means all of the real-time operational and tactical functions required to operate a motor vehicle in on-road traffic, including:

- (1) Lateral vehicle motion control through steering;
- (2) Longitudinal motion control through acceleration and deceleration;
- (3) Monitoring the driving environment through object and event detection, recognition, classification, and response preparation;



1       (4) Object and event response execution;

2       (5) Maneuver planning; and

3       (6) Enhancing conspicuity with lighting, signaling, and  
4       gesturing.

5       "Dynamic driving task" does not include strategic functions such  
6       as trip scheduling and selection of destinations and waypoints.

7       "Supervisor" means a human driver who is onboard an  
8       automated vehicle and who performs in real-time part or all of  
9       the dynamic driving task and dynamic driving task fallback for  
10       the vehicle. A supervisor may assume or resume performance of  
11       part or all of the dynamic driving task from the automated  
12       driving system during a given trip."

13       SECTION 3. Section 286-207, Hawaii Revised Statutes, is  
14       amended to read as follows:

15       **"§286-207 Exemptions, certain vehicles.** ~~[This]~~ Except as  
16       provided in section 286- , this part shall not apply to the  
17       following vehicles, if such vehicles are in compliance with  
18       safety ordinances and rules of the county in which they operate  
19       and other applicable state safety laws and rules:

20       (1) Trucks, truck-trailers, trailers, or other  
21       nonpassenger carrying equipment having a gross vehicle



1 weight rating of 10,000 pounds or less, except  
2 vehicles used in transporting material found by the  
3 United States Secretary of Transportation to be  
4 hazardous under 49 U.S.C. section 5103 and transported  
5 in a quantity requiring placarding under 49 C.F.R.,  
6 subtitle B, chapter I, subchapter C;

7 (2) Taxicabs as described in section 271-5(3)(B);

8 (3) Passenger carrying vehicles used by employees solely  
9 for their own transportation to, from, and during  
10 work;

11 (4) Passenger carrying vehicles with a gross vehicle  
12 weight of 10,000 pounds or less used in car or van  
13 pools to transport less than sixteen individuals for  
14 the movement of passengers to and from work;

15 (5) A passenger carrying vehicle used for the  
16 transportation, without compensation, of persons for  
17 personal, recreational, or entertainment purposes;

18 (6) A passenger carrying vehicle with a gross vehicle  
19 weight rating of 10,000 pounds or less used solely for  
20 the transportation, without compensation, of the



1 vehicle owner, the vehicle owner's family or guests;

2 and

3 (7) A passenger carrying vehicle with a gross vehicle  
4 weight rating of 10,000 pounds or less used for the  
5 transportation, without compensation, of persons for  
6 the furtherance of their physical or mental  
7 rehabilitation or for social welfare activities."

8 PART II

9 SECTION 4. Chapter 235, Hawaii Revised Statutes, is  
10 amended by adding a new section to be appropriately designated  
11 and to read as follows:

12 **"§235- Motor carrier automated vehicle supervisor**  
13 **training program tax credit.** (a) There shall be allowed to  
14 each taxpayer subject to the tax imposed under this chapter, a  
15 motor carrier automated vehicle supervisor training program tax  
16 credit that shall be deductible from the taxpayer's net income  
17 tax liability, if any, imposed by this chapter for the taxable  
18 year in which the credit is properly claimed.

19 (b) The motor carrier automated vehicle supervisor  
20 training program tax credit shall be equal to the qualified  
21 expenses of the taxpayer, up to a maximum of \$ .



1        (c) The total amount of tax credits allowed under this  
2 section shall not exceed \$                    for all taxpayers in any  
3 taxable year; provided that any taxpayer who is not eligible to  
4 claim the credit in a taxable year due to the \$                    cap  
5 having been exceeded for that taxable year shall be eligible to  
6 claim the credit in the subsequent taxable year.

7        (d) The director of taxation:

8        (1) Shall prepare any forms that may be necessary to claim  
9 a tax credit under this section;

10       (2) May require the taxpayer to furnish reasonable  
11 information to ascertain the validity of the claim for  
12 the tax credit made under this section; and

13       (3) May adopt rules under chapter 91 necessary to  
14 effectuate the purposes of this section.

15       (e) If the tax credit under this section exceeds the  
16 taxpayer's income tax liability, the excess of the credit over  
17 liability may be used as a credit against the taxpayer's income  
18 tax liability in subsequent years until exhausted. All claims  
19 for the tax credit under this section, including amended claims,  
20 shall be filed on or before the end of the twelfth month  
21 following the close of the taxable year for which the credit may



1 be claimed. Failure to comply with the foregoing provision  
2 shall constitute a waiver of the right to claim the credit.

3 (f) As used in this section, "qualified expenses" means  
4 costs that are directly incurred by the taxpayer to establish  
5 and maintain a training program pursuant to section  
6 286- (b) (2) ."

7 PART III

8 SECTION 5. This Act does not affect rights and duties that  
9 matured, penalties that were incurred, and proceedings that were  
10 begun before its effective date.

11 SECTION 6. Statutory material to be repealed is bracketed  
12 and stricken. New statutory material is underscored.

13 SECTION 7. This Act shall take effect upon its approval;  
14 provided that:

15 (1) Part II shall apply to taxable years beginning after  
16 December 31, 2025; and



1           (2) This Act shall be repealed on December 31, 2038, and  
2           section 286-207, Hawaii Revised Statutes, shall be  
3           reenacted in the form in which it read on the day  
4           before the effective date of this Act.

5

INTRODUCED BY:



JAN 22 2026



# H.B. NO. 1797

**Report Title:**

Automated Vehicles; Motor Carrier Safety; Regulation; Income Tax Credit

**Description:**

Requires an automated vehicle used by a motor carrier to transport passengers commercially to have a human supervisor present in the vehicle. Establishes an income tax credit to incentivize the training of supervisors for autonomous vehicles. Sunsets 12/31/2038.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

