
A BILL FOR AN ACT

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."



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

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

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

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

16 (1) Lateral vehicle motion control through steering;

17 (2) Longitudinal motion control through acceleration and
18 deceleration;

19 (3) Monitoring the driving environment through object and
20 event detection, recognition, classification, and
21 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 thirty-five per
21 cent of the qualified training expenses of the taxpayer incurred



1 in the taxable year; provided that the credit shall not exceed
2 \$10,000 per taxpayer per taxable year.

3 (c) The total amount of tax credits allowed under this
4 section shall not exceed \$1,000,000 for all taxpayers in any
5 taxable year; provided that any taxpayer who is not eligible to
6 claim the credit in a taxable year due to the \$1,000,000 cap
7 having been exceeded for that taxable year shall be eligible to
8 claim the credit in the subsequent taxable year.

9 (d) The department of taxation may designate a third-party
10 administrator to certify qualified training expenses and monitor
11 compliance with any aggregate annual cap established under
12 subsection (c); provided that no credit shall be allowed unless
13 the taxpayer has received written certification from the
14 designated third-party administrator.

15 (e) The director of taxation:

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

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



1 SECTION 5. This Act does not affect rights and duties that
2 matured, penalties that were incurred, and proceedings that were
3 begun before its effective date.

4 SECTION 6. Statutory material to be repealed is bracketed
5 and stricken. New statutory material is underscored.

6 SECTION 7. This Act shall take effect on July 1, 3000;
7 provided that:

8 (1) Part II shall apply to taxable years beginning after
9 December 31, 2026; and

10 (2) This Act shall be repealed on December 31, 2036, and
11 section 286-207, Hawaii Revised Statutes, shall be
12 reenacted in the form in which it read on the day
13 before the effective date of this Act.



Report Title:

Automated Vehicles; Motor Carrier Safety; Supervisors;
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 12/31/2036. Applies to taxable years beginning after 12/31/2026. Effective 7/1/3000. (HD1)

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

