

ACT 140

H.B. NO. 939

A Bill for an Act Relating to Motor Vehicle Industry Taxes and Fees.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Chapter 437D, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

“§437D- License and registration fees. Notwithstanding any law to the contrary, a lessor may visibly pass on to a lessee:

- (1) The general excise tax attributable to the transaction;
- (2) The vehicle license and registration fee and weight taxes, prorated at 1/365th of the annual vehicle license and registration fee and weight taxes actually paid on the particular vehicle being rented for each full or partial twenty-four hour rental day that the vehicle is rented; provided the total of all vehicle license and registration fees charged to all lessees shall not exceed the annual vehicle license and registration fee actually paid for the particular vehicle rented; and
- (3) The rental motor vehicle surcharge tax as provided in section 251-2 attributable to the transaction.

A representation by the lessor to the lessee that the visible pass on of the charges in paragraphs (1) to (3) is mandatory or that it is a government assessment upon the consumer shall be a per se violation of section 480-2.”

SECTION 2. Section 437D-6, Hawaii Revised Statutes, is amended to read as follows:

“[[§437D-6]] **Additional mandatory charges prohibited.** The daily and periodic rental cost to the lessee shall include the amount of each charge[, other than the general excise tax,] which is required as a condition to the rental[.] other than those charges provided for in section 437D- . The lessor shall disclose as part of any quotations of price, including all quotations contained in advertising or by telephone, all payments a lessee must make in order to rent the vehicle, including all charges provided for in section 437D- .”

SECTION 3. Statutory material to be repealed is bracketed. New statutory material is underscored.¹

SECTION 4. This Act shall take effect upon its approval.

(Approved June 16, 1997.)

Note

1. Edited pursuant to HRS §23G-16.5.