

A Bill for an Act Relating to Motor Vehicle Weight Tax.

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

SECTION 1. The legislature finds that the Hawaii Revised Statutes imposes a state motor vehicle weight tax for various types of vehicles and authorizes the counties to impose their own motor vehicle weight tax.

The legislature finds that residents with a disability who purchase or retrofit a non-commercial vehicle with a lift or ramp designed to provide ingress and egress in the vehicle by the person with disability pay more in state and county motor vehicle weight taxes in comparison to residents with non-modified vehicles. The extra weight of the vehicle is due to the lifts and ramps, any required motors, and additional reinforcement of the vehicle chassis.

The purpose of this Act is to exempt the weight of any lifts or ramps installed to assist a person with a disability on a non-commercial vehicle for purposes of computing annual state and county motor vehicle weight taxes.

SECTION 2. Section 249-1, Hawaii Revised Statutes, is amended by amending the definition of "net weight" to read as follows:

"Net weight" of a vehicle means the actual weight of the vehicle, as determined on a standard scale, including all equipment and accessories ordinarily attached to and used on the vehicle and, in the case of a motor vehicle, the maximum fuel, oil, and water possible of being carried for its operation; provided that "net weight" of a new standard equipped vehicle, other than a motor vehicle, means the shipping weight thereof as established by its manufacturer, and "net weight" of a new standard equipped passenger vehicle means the shipping weight thereof as established by its manufacturer, plus one hundred pounds, and "net weight" of a new standard equipped motorcycle, motor scooter, or moped, means the shipping weight thereof as established by its manufacturer, plus thirty pounds, and "net weight" of a new standard equipped truck means the shipping weight thereof as established by its manufacturer, plus two hundred pounds. On initial registration of a standard equipped vehicle, other than a motor vehicle, for which the director of finance has the manufacturer's established weight, the director of finance, in lieu of requiring the vehicle to be weighed and in order to determine the "net weight" thereof, may use such established weight and may require the owner to furnish verification of the factory serial number of the vehicle. On initial registration of standard equipped passenger vehicles, motorcycles, motor scooters, mopeds, and trucks for which the director of finance has the manufacturer's established weights, the director of finance, in lieu of requiring such motor vehicles to be weighed and in order to determine the "net weight" thereof, may use such established weights, adding one hundred pounds in the case of standard equipped passenger vehicles, thirty pounds in the case of standard equipped motorcycles, motor scooters, and mopeds, and two hundred pounds in the case of standard equipped trucks, and may require the owners to furnish verification of factory serial and engine numbers of such motor vehicles. As to a vehicle for which the manufacturer's weight is not available or whose make and model cannot be determined with reasonable certainty or which has been so altered as to increase or diminish the weight thereof, "net weight" means the actual weight of such vehicle, as determined on a standard scale, including all equipment and accessories ordinarily attached to and used on the vehicle and, in the case of a motor vehicle, the maximum fuel, oil, and water possible of being carried for its operation. Notwithstanding the foregoing provi-

sions, for all non-commercial vehicles, the weight of any vehicle modifications made to assist a person with a disability to enter or exit the vehicle, including but not limited to lifts, ramps, motors to power lifts or ramps, and chassis reinforcements, shall be excluded from the determination of the vehicle's net weight. In all cases information shall be presented to and in the manner prescribed by the director of finance.”

SECTION 3. New statutory material is underscored.

SECTION 4. This Act shall take effect on July 1, 2019.

(Approved June 29, 2018.)