

JAN 21 2010

A BILL FOR AN ACT

RELATING TO TAXATION.

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

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

3 "**§251-2 Rental motor vehicle and tour vehicle surcharge**
4 **tax.** (a) There is levied and shall be assessed and collected
5 each month a rental motor vehicle surcharge tax of \$2 a day,
6 except that for the period of September 1, 1999, to August 31,
7 2011, the tax shall be \$3 a day, or any portion of a day that a
8 rental motor vehicle is rented or leased. The rental motor
9 vehicle surcharge tax shall be levied upon the lessor; provided
10 that the tax shall not be levied on the lessor if:

11 (1) The lessor is renting a new qualified plug-in electric
12 drive motor vehicle; or

13 ~~(1)~~ (2) The lessor is renting the vehicle to replace a
14 vehicle of the lessee that is being repaired; and

15 ~~(2)~~ (3) A record of the repair order for the vehicle is
16 retained either by the lessor for two years for



1 verification purposes or by a motor vehicle repair
2 dealer for two years as provided in section 437B-16.

3 (b) There is levied and shall be assessed and collected
4 each month a tour vehicle surcharge tax of:

5 (1) \$65 for each tour vehicle used or partially used
6 during the month that falls into the over twenty-five
7 passenger seat category; and

8 (2) \$15 for each tour vehicle used or partially used
9 during the month that falls into the eight to twenty-
10 five passenger seat category.

11 The tour vehicle surcharge tax shall be levied upon the
12 tour vehicle operator.

13 (c) For purposes of this section:

14 "New qualified plug-in electric drive motor vehicle" means
15 a motor vehicle which is:

16 (1) Originally used by the taxpayer for purposes of
17 transporting persons or property;

18 (2) Acquired for use or lease by the taxpayer and not for
19 resale;

20 (3) Made by a manufacturer;

21 (4) Treated as a motor vehicle;



- 1 (5) Less than a gross vehicle weight rating of fourteen
2 thousand pounds; and
- 3 (6) Propelled to a significant extent by an electric motor
4 that draws electricity from a battery that:
- 5 (A) Has a capacity of not less than four kilowatt
6 hours; and
- 7 (B) Is capable of being recharged from an external
8 source of electricity.

9 For purposes of the definition of "new qualified plug-in
10 electric drive motor vehicle", "capacity" means, with respect to
11 any battery, the quantity of electricity which the battery is
12 capable of storing, expressed in kilowatt hours, as measured
13 from a one hundred per cent state of charge to a zero per cent
14 state of charge; "manufacturer" means any person engaged in the
15 business of manufacturing or assembling new motor vehicles or
16 new motor vehicle engines; and "motor vehicle" means any self-
17 propelled vehicle which is designed and manufactured for
18 transporting persons or property on a public street, road, or
19 highway (not including a vehicle operated exclusively on a rail
20 or rails) and which has at least four wheels."

21 SECTION 2. Statutory material to be repealed is bracketed
22 and stricken. New statutory material is underscored.



1 SECTION 3. This Act shall take effect on July 1, 2010.

2

INTRODUCED BY:

Cheryl...

Russell Kohr

Jill...

David...

Clarence...

S. S. ...

Gary L. ...

Madison...

...



Report Title:

Rental Motor Vehicle Exemption; Electric Vehicle; Plug-in

Description:

Provides a rental motor vehicle surcharge tax exemption for new qualified plug-in electric drive motor vehicles.

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

