

JAN 17 2014

A BILL FOR AN ACT

RELATING TO A CAR-SHARING VEHICLE SURCHARGE TAX.

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

1 SECTION 1. The legislature finds that car-sharing is a
2 green transportation innovation that can significantly reduce
3 vehicle miles traveled, oil imports, greenhouse gas emissions,
4 and household transportation costs for Hawaii residents. Car-
5 sharing is a fairly new transportation innovation in the United
6 States that has emerged only in the last ten years. Unlike
7 traditional car rentals, car-sharing is not aimed at tourists or
8 individuals who are getting a personal vehicle repaired. Car-
9 sharing is rented by the minute or by the hour, rather than by
10 the day. Car-sharing members are persons who either cannot
11 afford to or prefer not to own their own vehicles but
12 occasionally need access to vehicles to run errands. Car-
13 sharing enables them to enjoy the benefits of automobile access
14 without the high fixed costs and other concerns that come with
15 car ownership.

16 The purpose of this Act is to create a car-sharing vehicle
17 surcharge tax.



1 SECTION 2. Chapter 251, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§251- Car-sharing vehicle surcharge tax. There is
5 levied and shall be assessed and collected a car-sharing vehicle
6 surcharge tax of \$ for each vehicle available for use
7 or partially available for use during each month by members of a
8 car-sharing organization. The car-sharing vehicle surcharge tax
9 shall be levied upon the car-sharing organization."

10 SECTION 3. Chapter 251, Hawaii Revised Statutes, is
11 amended by amending its title to read as follows:

12 "[]CHAPTER 251[]
13 RENTAL MOTOR VEHICLE [AND], TOUR VEHICLE, AND CAR-SHARING
14 VEHICLE SURCHARGE TAX"

15 SECTION 4. Section 251-1, Hawaii Revised Statutes, is
16 amended by adding a new definition to be appropriately inserted
17 and to read as follows:

18 "Car-sharing organization" means an organization that
19 operates a membership program in which:

20 (1) Self-service access to a fleet of vehicles is
21 provided, with or without requiring a reservation,

- 1 exclusively to members of the organization who have
- 2 paid a membership fee;
- 3 (2) Members are charged a usage rate, either hourly or by
- 4 the minute, for each use of a vehicle;
- 5 (3) Members are not required to enter into a separate
- 6 written agreement with the organization each time the
- 7 member reserves and uses a vehicle;
- 8 (4) The average paid use period for all vehicles provided
- 9 by the organization during any calendar year is four
- 10 hours or less; and
- 11 (5) At least sixty per cent of all vehicle rentals made by
- 12 the organization during the prior calendar year were
- 13 made to residents of Hawaii."

14 SECTION 5. Section 251-3, Hawaii Revised Statutes, is
15 amended by amending subsection (a) to read as follows:

16 "(a) Each person as a condition precedent to engaging or
17 continuing in the business of providing rental motor vehicles to
18 the public or engaging or continuing in the tour vehicle
19 operator business or a car-sharing organization business shall
20 register with the director. A person required to so register
21 shall make a one-time payment of \$20, upon receipt of which the
22 director shall issue a certificate of registration in such form



1 as the director determines, attesting that the registration has
2 been made. The registration shall not be transferable and shall
3 be valid only for the person in whose name it is issued and for
4 the transaction of business at the place designated therein.

5 The registration, or in lieu thereof a notice stating where the
6 registration may be inspected and examined, shall at all times
7 be conspicuously displayed at the place for which it is issued."

8 SECTION 6. Statutory material to be repealed is bracketed
9 and stricken. New statutory material is underscored.

10 SECTION 7. This Act shall take effect on July 1, 2014.

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INTRODUCED BY:

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S.B. NO. 2131

Report Title:

Car-sharing Vehicle Surcharge Tax

Description:

Establishes a car-sharing vehicle surcharge tax.

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