
A BILL FOR AN ACT

RELATED TO MOTOR VEHICLES.

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

PART I

SECTION 1. Chapter 291C, Hawaii Revised Statutes, is amended by adding a new section to part XII to be appropriately designated and to read as follows:

"§291C- Mauna Kea and Waipio valley access; required four-wheel drive vehicle use. (a) No vehicle, other than a low-range, four-wheel drive vehicle, shall at any time be driven through or in the connecting roadway corridor between the Waipio valley lookout and the floor of Waipio valley or the connecting roadway corridor between Hale Pohaku and the Mauna Kea science reserve; provided that any vehicle may be driven in these areas if:

(1) It is in the process of executing a legal turn, lane change, or parking maneuver to exit the area;

(2) It is an authorized emergency vehicle performing the functions under section 291C-26;



1 (3) It is an official federal, state, or county vehicle in
2 the performance of its actual duty;

3 (4) It is necessary to assist a stalled or broken vehicle;
4 (5) It is necessary to yield to an authorized emergency
5 vehicle pursuant to section 291C-65;

6 (6) It is a vehicle engaged in or in support of research
7 or maintenance activities; or

8 (7) It is otherwise provided by law.

9 (b) Violation of this section shall subject the driver of
10 the vehicle to a fine of \$250.

11 For purposes of this section, an all-wheel drive vehicle
12 shall not be considered to be a low-range, four-wheel drive
13 vehicle."

14 PART II

15 SECTION 2. The legislature finds that the Hawaii Revised
16 Statutes imposes a state motor vehicle weight tax for various
17 types of vehicles and authorizes the counties to impose their
18 own motor vehicle weight tax.

19 The legislature finds that residents with a disability who
20 purchase or retrofit a non-commercial vehicle with a lift or
21 ramp designed to provide ingress and egress in the vehicle by



1 the person with disability pay more in state and county motor
2 vehicle weight taxes in comparison to residents with non-
3 modified vehicles. The extra weight of the vehicle is due to
4 the lifts and ramps, any required motors, and additional
5 reinforcement of the vehicle chassis.

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

10 SECTION 3. Section 249-1, Hawaii Revised Statutes, is
11 amended by amending the definition of "net weight" to read as
12 follows:

13 "Net weight" of a vehicle means the actual weight of the
14 vehicle, as determined on a standard scale, including all
15 equipment and accessories ordinarily attached to and used on the
16 vehicle and, in the case of a motor vehicle, the maximum fuel,
17 oil, and water possible of being carried for its operation;
18 provided that "net weight" of a new standard equipped vehicle,
19 other than a motor vehicle, means the shipping weight thereof as
20 established by its manufacturer, and "net weight" of a new
21 standard equipped passenger vehicle means the shipping weight



1 thereof as established by its manufacturer, plus one hundred
2 pounds, and "net weight" of a new standard equipped motorcycle,
3 motor scooter, or moped, means the shipping weight thereof as
4 established by its manufacturer, plus thirty pounds, and "net
5 weight" of a new standard equipped truck means the shipping
6 weight thereof as established by its manufacturer, plus two
7 hundred pounds. On initial registration of a standard equipped
8 vehicle, other than a motor vehicle, for which the director of
9 finance has the manufacturer's established weight, the director
10 of finance, in lieu of requiring the vehicle to be weighed and
11 in order to determine the "net weight" thereof, may use such
12 established weight and may require the owner to furnish
13 verification of the factory serial number of the vehicle. On
14 initial registration of standard equipped passenger vehicles,
15 motorcycles, motor scooters, mopeds, and trucks for which the
16 director of finance has the manufacturer's established weights,
17 the director of finance, in lieu of requiring such motor
18 vehicles to be weighed and in order to determine the "net
19 weight" thereof, may use such established weights, adding one
20 hundred pounds in the case of standard equipped passenger
21 vehicles, thirty pounds in the case of standard equipped



1 motorcycles, motor scooters, and mopeds, and two hundred pounds
2 in the case of standard equipped trucks, and may require the
3 owners to furnish verification of factory serial and engine
4 numbers of such motor vehicles. As to a vehicle for which the
5 manufacturer's weight is not available or whose make and model
6 cannot be determined with reasonable certainty or which has been
7 so altered as to increase or diminish the weight thereof, "net
8 weight" means the actual weight of such vehicle, as determined
9 on a standard scale, including all equipment and accessories
10 ordinarily attached to and used on the vehicle and, in the case
11 of a motor vehicle, the maximum fuel, oil, and water possible of
12 being carried for its operation. Notwithstanding the foregoing
13 provisions, for all non-commercial vehicles, the weight of any
14 vehicle modifications made to assist a person with a disability
15 to enter or exit the vehicle, including but not limited to
16 lifts, ramps, motors to power lifts or ramps, and chassis
17 reinforcements, shall be excluded from the determination of the
18 vehicle's net weight. In all cases information shall be
19 presented to and in the manner prescribed by the director of
20 finance."

PART III



1 SECTION 4. 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 5. New statutory material is underscored.

5 SECTION 6. This Act shall take effect on January 1, 2100.



Report Title:

Waipio Valley; Mauna Kea; Roadway; Four-wheel Drive Vehicles;
Motor Vehicle Weight Tax; Exemption for Lifts and Ramps

Description:

Prohibits any vehicle, except a low-range, four-wheel drive vehicle, from being driven through or in Waipio Valley or the Mauna Kea Science Reserve, except under certain circumstances. Excludes the weight of disability access modifications from the determination of net weight for non-commercial vehicles for purposes of levying the state and county motor vehicle weight tax. Effective date of 1/1/2100. (SD1)

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

