



**STATE OF HAWAII**  
**Public Utilities Commission**  
465 South King St., #103  
HONOLULU, HAWAII 96813  
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## **INSTRUCTIONS**

### **FOR COMPLETING AN APPLICATION FOR TRANSFER OF MOTOR CARRIER CERTIFICATE, PERMIT OR CARRIER PROPERTY**

#### **Paragraph No.**

1.
  - a. Provide the full name of the seller or transferor (Seller/Transferor). If Seller/Transferor uses a trade name, please provide the trade name.
  - b. Provide Seller/Transferor's mailing address.
  - c. Provide Seller/Transferor's business and residence telephone numbers.
  - d. Provide Seller/Transferor's PUC certificate or permit number.
  - e. Provide the name of the person to whom correspondence may be sent. If an attorney is representing the Seller/Transferor, provide the attorney's name, law firm name, address, and phone number.
2.
  - a. Provide the full name of the buyer or transferee (Buyer/Transferee). A Buyer/Transferee using a trade name must attach a copy of its completed trade name registration form file-stamped by:

Business Registration Division  
Department of Commerce and Consumer Affairs  
King Kalakaua Building  
335 Merchant Street, 2<sup>nd</sup> Floor, Room 201  
Honolulu, Hawaii 96813

A Buyer/Transferee who is a corporation, partnership or limited liability company, must attach a file-stamped copy of its articles of incorporation, partnership agreement, or articles of organization.

**NOTE:** If the corporation, partnership, or limited liability company was formed under laws other than the laws of the State of Hawaii, the Buyer/Transferee must also attach a copy of its current certificate of authority or registration statement indicating that it is registered to transact business in the State of Hawaii.

- b. Provide Buyer/Transferee's mailing address.
- c. Provide Buyer/Transferee's business and residence telephone numbers.
- d. Provide Buyer/Transferee's PUC certificate or permit number. If Buyer/Transferee does not have a PUC certificate or permit, please fill in "NOT APPLICABLE."
- e. Provide the name of the person to whom correspondence may be sent. If an attorney is representing the Buyer/Transferee, provide the attorney's name, law firm name, address, and phone number.
- f. Mark an "X" in the applicable box. A Buyer/Transferee who is a corporation or partnership **MUST COMPLETE EXHIBIT A**, Partnership or Corporation Information. A Buyer/Transferee who is an individual (sole proprietorship) or a limited liability company need not complete Exhibit A.
- g. Mark an "X" in the applicable box.

If "Yes", attach specific information of the Buyer/Transferee's affiliation with another motor carrier as an exhibit to the application.

- 3. Mark an "X" in the applicable box or boxes to indicate the type of transfer.
- 4. Provide the reasons for the transfer, such as, retirement, sale of business, etc.
- 5. The Seller/Transferor must provide the revenues from its regulated business for the six months preceding the filing of this application.
- 6. Mark an "X" in the applicable box or boxes to indicate whether Buyer/Transferee will acquire:
  - a) certificate,
  - b) permit, or
  - c) property.

Also, mark the applicable box indicating whether the whole or part of a certificate or permit will be acquired. If only a part of a certificate or permit is being transferred, attach as an exhibit a detailed explanation describing the part to be transferred.

If property or motor vehicle equipment is transferred, specify the property to be transferred.

7.
  - a. If the Seller/Transferor is a corporation, attach a copy of the resolution that authorizes the sale and a copy of the resolution designating the person to submit the application.
  - b. If the Buyer/Transferee is a corporation, attach a copy of the resolution that authorizes the purchase and a copy of the resolution designating the person to submit the application.
8. Provide a description of the Buyer/Transferee's proposed operation. If the operation will be the same as the Seller/ Transferor's operation, please fill in "SAME AS SELLER/TRANSFEROR."
9. Specify the number of vehicles that will be used by Buyer/Transferee. Provide the specific vehicle information on Exhibit B, Vehicle Inventory List. Also attach a copy of the certificate of ownership or registration for each vehicle.

**NOTE:** Vehicles of corporate, partnership, or limited liability company applicants must be owned by the corporation, partnership or limited liability company.

10. Tariff:

Mark an "X" in the applicable box to indicate whether Buyer/Transferee will participate with a tariff bureau or publish its own tariff.

- a. Mark an "X" in the applicable box.
  - (1) The **Western Motor Tariff Bureau, Inc.**, phone: 836-5874, fax: 834-1732, publishes tariffs for passenger and property carriers for all islands.
  - (2) **The Hawaii State Certified Common Carriers Association, Inc.**, phone: 382-3733, publishes tariffs for Oahu passenger carriers only.



14. Fill in the date of the application. The application must be signed by both the Seller/Transferor and the Buyer/Transferee. Also, each must sign the **Oath** in the presence of a notary public, and sign the **Certificate of Service** after all parties are served.

## INSTRUCTIONS

### **FOR COMPLETING THE EXHIBITS FOR APPLICATION FOR TRANSFER OF MOTOR CARRIER CERTIFICATE, PERMIT OR CARRIER PROPERTY**

#### **EXHIBIT A: PARTNERSHIP OR CORPORATION INFORMATION**

If the Buyer/Transferee is a corporation or partnership, **Exhibit A** must be completed.

Individual (sole proprietorship) and limited liability company Buyer/Transferee **need not complete Exhibit A.**

#### **EXHIBIT B: VEHICLE INVENTORY LIST**

Provide vehicle information for each vehicle to be used by Buyer/Transferee. List trucks and trailers separately. Attach a copy of the certificate of registration or ownership for each vehicle (issued by the City and County of Honolulu or the neighbor island counties). If the Buyer/Transferee is a corporation, partnership, or limited liability company, and owns a vehicle, the vehicle must be registered in the name of the corporation, partnership, or limited liability company. If vehicles are leased, a copy of the vehicle lease(s) must be filed with the commission.

#### **EXHIBIT C: BALANCE SHEET**

Balance Sheet must be completed by the Buyer/Transferee. The information on the Balance Sheet must be current (not older than 3 months from the time the application is filed).

In the Balance Sheet, accounts are classified so that similar items are grouped together in three general classes as follows: assets, liabilities, and owners' equity.

#### **EXHIBIT D: FIXED ASSETS SCHEDULE**

The Fixed Assets Schedule includes vehicles, real property, improvements, office equipment and other tangible property with value. The Buyer/Transferee must complete the exhibit as follows:

- Line 1, include all vehicles that will be used for Buyer/Transferee's PUC operations. Do not include any leased vehicles.
- Line 2, include any vehicles (personal automobile, etc.) owned by Buyer/Transferee that will not be used for PUC operations.
- Line 3, include any land, building, and improvement in which a leasehold or fee simple interest is held.
- Line 4, include all other fixed assets not included in lines 1 through 3.
- Transfer the amount shown on line 5, column 3, to line 3 of Balance Sheet, Exhibit C.

#### **EXHIBIT E: LOANS PAYABLE SCHEDULE**

Loans payable are obligations of a business to pay for items such as vehicles, equipment, etc. on an installment basis. The Buyer/Transferee must complete the exhibit as follows:

- Lines 1a through 1c pertain to only corporations and partnerships. Include loans from officers and partners.
- On lines 2a through 2j, include loans from financial institutions such as banks, savings and loans, and credit unions, etc.
- Transfer the amount shown on line 3, column 4, to line 14 of Balance Sheet, Exhibit C.

#### **EXHIBIT F: PROJECTED PUC OPERATING REVENUES AND STATISTICS**

The exhibit must be completed by Buyer/Transferee. Projections shall be for a **forward 12-month period**.

For passenger carriers: To obtain operating revenues, multiply the average tariff rate by the projected number of passengers to be carried or trips to be taken, shown separately by activity, such as tour, transfer and shuttle.

For property carriers: To obtain operating revenues, multiply the average tariff rate by the projected number of tons to be carried, or hours of operation for each type of type of property classification being applied for. Example: If Buyer/Transferee is a property carrier and is acquiring a general commodities and dump truck authority, revenues from the general commodities classification should be listed on line 1 and revenues from the dump truck classification on line 4. Total revenues should be listed on line 10.

Revenues from specific commodities hauling must also be listed separately by commodity to be transported.

## **EXHIBIT G: PROJECTED INCOME STATEMENT**

A Projected Income Statement must be provided by the Buyer/Transferee. An income statement is a report that measures the gains or losses of a business operation for a given period of time. The income statement is divided into two major groups: revenues and expenses. The expenses are deducted from the revenues to arrive at the net income or loss for the period. The Buyer/Transferee must complete the exhibit as follows:

- Line 1, operating revenues, see Exhibit F, line 10. Enter this amount on line 1 of Exhibit G.
- Lines 2 through 24, include all expenses that will be incurred from PUC operations. Be sure to complete lines **15** and **16**.
- Airport Transfer Fee, line 17.

For passenger carriers: Complete this line only if passengers will be transferred within and from the airport area. Use the following percentages to compute the Airport Transfer Fee.

- Oahu: multiply the transfer revenues shown on line 2, column 1, of Exhibit F, by 7% (.07).
- Other Islands: multiply the transfer revenues shown on line 2, column 1, of Exhibit F, by 3% (.03).



For property carriers: Complete this line only if property (baggage, etc.) will be transferred within and from the airport area. Multiply the projected transfer revenues by 3.5% (.035).

**NOTE: DO NOT DUPLICATE OR FILE THIS INSTRUCTION SHEET.**