



STATE OF HAWAII
Public Utilities Commission
465 South King St., Room 103
HONOLULU, HAWAII 96813
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E-MAIL: Hawaii.PUC@hawaii.gov
WEBSITE: <http://puc.hawaii.gov>

GENERAL INFORMATION

APPLICATION FOR MOTOR CARRIER CERTIFICATE OR PERMIT PASSENGER CLASSIFICATION

APPLICATION FORM:

Please read the instructions and complete the appropriate sections and exhibits.

You may file your application by utilizing one of three (3) methods:

1. EFile utilizing the fillable eFile form,
2. Manually file utilizing the pdf fillable form, or
3. Manually file by downloading the form and utilize a typewriter or legibly write in the required information on the form.

Attach all required exhibits to your application.

TAX CLEARANCE APPLICATION FORM:

A Department of Taxation tax clearance application form (Form A-6) and instructions are available at: <http://puc.hawaii.gov>. Please read the instructions and complete the appropriate sections of the form. At line 4, enter a check mark in the box and enter the words "State PUC Motor Carrier Licensing" after the word "Others".

Take the form to the Department of Taxation and obtain a Tax Clearance Certificate. Your motor carrier application will not be accepted for filing at the Public Utilities Commission ("Commission") unless it is accompanied by a Tax Clearance Certificate issued by the Department of Taxation.

FILING FEE

The application filing fee of thirty dollars (\$30.00) is required at the time of filing the application with the Commission. Make your check payable to the Public Utilities Commission. If you are eFiling, an ePayment is required when you submit your eFile application.

COPIES REQUIRED:

a. Notarized original to:

Hawaii Public Utilities Commission
465 S. King Street, #103
Honolulu, HI 96813

If you are eFiling, follow the instructions on the application.

b. 2 copies mailed to:

Division of Consumer Advocacy
Department of Commerce and Consumer Affairs
P. O. Box 541
Honolulu, HI 96809

c. 1 copy mailed to:

Hawaii Transportation Association
P. O. Box 30166
Honolulu, HI 96820

d. 1 copy mailed to:

Western Motor Tariff Bureau, Inc.
P.O. Box 30268
Honolulu, HI 96820

e. 1 copy mailed to (Oahu passenger carrier only):

Hawaii State Certified Common Carriers Association
P.O. Box 15967
Honolulu, HI 96830-5967

NOTE: If eFiling, PRINT and download to save your application BEFORE submitting. You will not be able to retrieve your application once you submit it for eFiling.

RULES:

The following Hawaii Administrative Rules (HAR) are available at a nominal cost or may be accessed from the Public Utilities Commission's departmental website at: <http://puc.hawaii.gov>

HAR Chapter 16-601 Rules of Practice and Procedure Before the Public Utilities Commission of the State of Hawaii

HAR Chapter 6-62 Motor Carrier Rules and Classification of Property and Passenger Carriers

HAR Chapter 16-603 Motor Carrier Tariffs and Schedules

INSTRUCTIONS

FOR COMPLETING AN APPLICATION FOR MOTOR CARRIER CERTIFICATE OR PERMIT PASSENGER CLASSIFICATION

Paragraph No.

1. a. Provide applicant's full name. An applicant 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, 2nd Floor, Room 201
Honolulu, HI 96813

An applicant, 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 applicant 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 applicant's mailing address.
- c. Provide applicant's business and residence telephone numbers.
2. Provide the name of the person to whom correspondence may be sent. If an attorney is representing the applicant, provide the attorney's name, law firm name, address, and phone number.
3. Select the applicable box. For item "b", provide the PUC number.
4. **Passengers:** Select the applicable box or boxes.

5. Select the applicable box. An applicant who is a corporation or partnership **MUST COMPLETE EXHIBIT A**, Partnership or Corporation Information. An applicant who is an individual (sole proprietorship) or a limited liability company need not complete Exhibit A.

6. a. Select the applicable box or boxes to indicate the island(s) where transportation service will be provided.

NOTE: If the application is for more than one island, prepare Exhibit F, Projected PUC Operating Revenues and Statistics for each island.

b. Select the applicable box to indicate whether transportation service will be performed on the entire island or only a portion of the island.

If the transportation service is limited to only a portion of an island, provide the location of the area or points to be served.

7. a. Select the applicable box.

“Common carrier by motor vehicle” means any person which holds itself out to the general public to engage in the transportation by motor vehicle of passengers or property or any class or classes thereof for compensation.

“Contract carrier by motor vehicle” means any person which engages in transportation by motor vehicle or passengers or property for compensation under continuing contracts with one person or a limited number of persons either (A) for the furnishing of transportation services through the assignment of motor vehicles for a continuing period of time to the exclusive use of each person served, or (B) for the furnishing of transportation services designed to meet the distinct need of each individual customer.

b. If the application is for a contract carrier permit, list each company that you have a contract with, and provide the company’s address. Attach a copy of each contract with the application. The contract must be bilateral and impose specific obligations on both carrier and customer and must set forth all terms and conditions of the transportation agreement.

8. Specify the number of vehicles to be used. 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.

9. Select in the applicable box.

If “Yes”, attach specific information of the affiliation with another motor carrier as an exhibit to the application.

10. **Tariff:**

Select the applicable box to indicate whether you will participate with a tariff bureau or publish your own tariff.

a. Select the applicable box.

(1) The **Western Motor Tariff Bureau, Inc.**, phone: 836-5874, fax: 834-1732, publishes tariffs for passenger carriers for all islands.

(2) The **Hawaii State Certified Common Carriers Association, Inc.**, phone: 220-2272, publishes tariffs for Oahu passenger carriers only.

b. An applicant not joining or participating in a tariff bureau must conform to the commission’s motor carrier tariff rules, HAR Chapter 16-603. A copy of the rules is available from the commission at a nominal cost or on-line at <http://www.puc.hawaii.gov>. An applicant must file a tariff that contains the rates or fares to be charged and rules and regulations governing the service.

11. An applicant must provide the information requested in each item.

12. a. Applicants for a “**COMMON CARRIER CERTIFICATE**” must complete this section.

b. Applicants for a “**CONTRACT CARRIER PERMIT**” must complete this section.

13. Filing an application does not grant the applicant the authority to operate as a common or contract carrier. The application will be reviewed and as necessary, supplemental information may be

requested. Based on financial fitness and need, an order will be issued. Upon compliance with the order, a certificate or permit will be issued.

14. Fill in the date and sign the application. Also, sign the **Oath** in the presence of a notary public, and sign the **Certificate of Service** after all parties are served.

NOTE: If eFiling, use of your user log in and password constitutes your signature on eFiled documents for all purposes, including those under Hawaii Administrative Rules § 16-601-17, and shall have the same force and effect as if you had affixed your signature on a paper copy of the document filed. For documents requiring the signature or verification of the party to a proceeding, use of your user log in and password also attests that the statements contained therein, under penalty of perjury, are true and correct.

INSTRUCTIONS

FOR COMPLETING THE EXHIBITS OF AN APPLICATION FOR MOTOR CARRIER CERTIFICATE OR PERMIT PASSENGER CLASSIFICATION

EXHIBIT A: PARTNERSHIP OR CORPORATION INFORMATION

Corporate and partnership applicants are required to **complete Exhibit A.**

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

EXHIBIT B: VEHICLE INVENTORY LIST

Provide vehicle information for each vehicle to be used. 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 you own the vehicle and you are a corporation, partnership, or limited liability company, 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

EFilers note: 'Exhibit – C Balance Sheet' follows 'Exhibit D – Fixed Assets' and 'Exhibit E – Loans Payable' as entries from these two exhibits will auto fill Exhibit – C as indicated.

Balance Sheet must be completed by all applicants. 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. Complete the exhibit as follows:

- Line 1, include all vehicles that you will be using for your PUC operations. Do not include any leased vehicles.
- Line 2, include any vehicles (personal automobile, etc.) owned by you that will not be used for your 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.
- Line 5 Total:

If eFiling or utilizing the pdf fillable forms, the Line 5 "Total" is automatically calculated and transferred to line 3 of Balance Sheet, Exhibit C.

If manually filling the form, after calculating the Line 5 "Total", transfer the "Total" amount to line 3 of Balance Sheet, Exhibit C.

EXHIBIT E: LOANS PAYABLE SCHEDULE, OTHER LIABILITIES

Loans payable are obligations of a business to pay for items such as vehicles, equipment, etc. on an installment basis. 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.
- Line 3 Total Loans Payable – List Loans payable on lines 1a through 1c, and Other Loans on 2a through 2j:

If utilizing the eFile or pdf fillable forms, the Line 3 “Total” is automatically calculated and transferred to line 14 of Balance Sheet, Exhibit C.

If manually filling the form, after calculating the Line 3 “Total”, transfer the “Total” amount to line 14, of Balance Sheet, Exhibit C.

- Line 4 Total Other Liabilities - List other liabilities on lines 4a through 4j:

If utilizing the eFile or pdf fillable forms, the Line 4 “Total” is automatically calculated and transferred to line 15 of Balance Sheet, Exhibit C.

If manually filling the form, after calculating the Line 4 “Total”, transfer the “Total” amount to line 15, of Balance Sheet, Exhibit C.

EXHIBIT F: PROJECTED PUC OPERATING REVENUES AND STATISTICS

Projections shall be for a **forward 12-month period**. 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.

EXHIBIT G: PROJECTED INCOME STATEMENT

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. Complete the exhibit as follows:

- Line 1 Total Operating Revenues:

If utilizing the eFile or pdf fillable forms, the operating revenues is automatically transferred from Exhibit F, line 10.

If manually filling the form, transfer the total from Exhibit F, line 10 to line 1 of Exhibit G.

- Lines 2 through 24, include all expenses that you will be incurring from your PUC operations. Be sure to complete lines **15** and **16**.

- Airport Transfer Fee, line 17: Complete this line only if you are planning to transfer passengers 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).

NOTE: DO NOT DUPLICATE OR FILE THIS INSTRUCTION SHEET.