

Instructions

A Change to Note

For 2010, the standard mileage rate for using your vehicle to move to a new home is 16.5¢ a mile.

Purpose of Form

Use Form N-139 to figure your moving expense deduction for a move related to the start of work at a new principal place of work (workplace). If the new workplace is outside the United States or its possessions, you must be a U.S. citizen or resident alien to deduct your expenses.

If you qualify to deduct expenses for more than one move, use a separate Form N-139 for each move.

Note: *If a resident taxpayer leaves the State of Hawaii for other than temporary or transitory purposes and is not domiciled in Hawaii, he or she ceases to be a resident; in such a case, as with a nonresident taxpayer, expenses incurred in moving to a new place of employment outside the State of Hawaii shall not be allowed.*

Additional Information

For more details, get federal Publication 521, Moving Expenses.

Other Forms You May Have to File

If you sold your main home in 2010, you must file Form N-103, Sale of Your Home, to report the sale.

Internet Address

Tax forms are available on the Internet. The Department of Taxation's site on the Internet is: www.hawaii.gov/tax

Moving Expenses You Can Deduct

You can deduct the reasonable expenses of moving your household goods and personal effects and of traveling from your old home to your new home. Reasonable expenses can include the cost of lodging (but not meals) while traveling to your new home. You cannot deduct the cost of sightseeing trips.

Who Can Deduct Moving Expenses

If you move to a new home because of a new principal workplace, you may be able to deduct your moving expenses whether you are self-employed or an employee. But you must meet both the distance test and the time test that follow.

Distance Test.—Your new principal workplace must be at least 50 miles farther from your old home than your old workplace was. For example, if your old workplace was 3 miles from your old home, your new workplace must be at least 53 miles from that home. If you did not have an old workplace, your new workplace must be at least 50 miles from your old home. The distance between the two points is the shortest of the more commonly traveled routes between them.

Time Test.—If you are an employee, you must work full time in the general area of your new workplace for at least 39 weeks during the 12 months right after you move. If you are self-employed, you must work full-time in the general area of your new workplace for at least 39 weeks

during the first 12 months and a total of at least 78 weeks during the 24 months right after you move.

What If You Do Not Meet the Time Test Before Your Return is Due? If you expect to meet the time test, you may deduct your moving expenses in the year you move. Later, if you do not meet the time test, you must either:

- Amend your tax return for the year you claimed the deduction by filing an amended individual income tax return, or
- For the year you cannot meet the time test, report as income the amount of your moving expense deduction that reduced your income tax for the year you moved.

If you do not deduct your moving expenses in the year you move and you later meet the time test, you may take the deduction by filing an amended return for the year you moved.

Exceptions to the Time Test.—You do not have to meet the time test if any of the following apply:

- Your job ends because of disability.
- You are transferred for your employer's benefit.
- You are laid off or discharged for a reason other than willful misconduct.
- You are in the armed forces and the move is due to a permanent change of station (see below).
- You meet the requirements (explained later) for retirees or survivors living outside the United States.
- You are filing this form for a decedent.

Members of the Armed Forces

If you are in the armed forces, you do not have to meet the **distance** and **time tests** if the move is due to a permanent change of station. A permanent change of station includes a move in connection with and within 1 year of retirement or other termination of active duty.

How to Complete the Form If You Are a Member of the Armed Forces.—Do not include on lines 4 and 5 any expenses for moving or storage services that were provided by the government. If you and your spouse and dependents are moved to or from different locations, treat the moves as a single move.

On line 7, enter the total reimbursements and allowances you received from the government in connection with the expenses you claimed on lines 4 and 5. Do not include the value of moving or storage services provided by the government. Complete line 8 if applicable.

Retirees or Survivors Living Outside the United States

If you are a retiree or survivor who moved to a home in the State of Hawaii and you meet the following requirements, you are treated as if you moved to a new principal workplace located in the State of Hawaii. You are subject only to the distance test.

Retirees.—You may deduct moving expenses for a move to a new home in the State of Hawaii

when you permanently retire if both your old principal workplace and your old home were outside the United States.

Survivors.—You may deduct moving expenses for a move to a home in the State of Hawaii if you are the spouse or dependent of a person whose principal workplace at the time of death was outside the United States. In addition, the expenses must be for a move (1) that begins within 6 months after the decedent's death, and (2) from a former home outside the United States that you lived in with the decedent at the time of death.

Reimbursements

You may choose to deduct moving expenses in the year you are reimbursed by your employer, even though you paid the expenses in a different year. However, special rules apply. See **When To Deduct Expenses** in federal Publication 521.

Line-by-Line Instructions

You may deduct the following expenses you paid to move your family and dependent household members. Do not deduct expenses for employees such as a maid, nanny, or nurse.

Line 4.—Moves Within or to the United States or its Possessions. Enter the amount you paid to pack, crate, and move your household goods and personal effects. You may also include the amount you paid to store and insure household goods and personal effects within any period of 30 days in a row after the items were moved from your old home and before they were delivered to your new home.

Moves Outside the United States or its Possessions. Enter the amount you paid to pack, crate, move, store, and insure your household goods and personal effects. Also, include the amount you paid to move your personal effects to and from storage and to store them for all or part of the time the new workplace continues to be your principal workplace.

Note: *You do not have to complete this form if (a) you moved in an earlier year, (b) you are claiming only storage fees during your absence from the United States, and (c) any amount your employer paid for the storage fees is included in the wages box of your federal Form W-2. Instead, enter the storage fees on Form N-15, line 25, and write "Storage" next to the amount.*

Line 5.—Enter the amount you paid for travel from your old home to your new home. This includes transportation and lodging on the way. Include costs for the day you arrive. The members of your household do not have to travel together or at the same time. However, you may only include expenses for one trip per person. Do not include any househunting expenses.

If you use your own vehicle(s), you may figure the expenses by using either:

- Actual out-of-pocket expenses for gas and oil, or
- Mileage at the rate of 16.5¢ a mile.

You may add parking fees and tolls to the amount claimed under either method. Keep records to verify your expenses.