

---

---

## A BILL FOR AN ACT

RELATING TO MOTOR VEHICLES.

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

1           SECTION 1. Section 286-25, Hawaii Revised Statutes, is  
2 amended to read as follows:

3           "**§286-25 Operation of a vehicle without a certificate of**  
4 **inspection.** [~~Whoever operates, permits~~] (a) No person shall  
5 operate, permit the operation of, [causes] cause to be operated,  
6 or [parks] park any vehicle on a public highway without a  
7 current official certificate of inspection, issued under section  
8 286-26[~~, shall be fined not more than \$100~~].

9           (b) Any person who violates this section shall be subject  
10 to:

11           (1) A fine of not less than \$500 and not more than \$1,000  
12           for the first violation;

13           (2) A fine of not less than \$750 and not more than \$1,000  
14           for the second violation; and

15           (3) A fine of not less than \$1,000 and suspension of  
16           license and privileges to operate a vehicle for a  
17           period of thirty days for a third or subsequent  
18           violation."



1 SECTION 2. Section 286-26, Hawaii Revised Statutes, is  
2 amended by amending subsection (g) to read as follows:

3 "(g) The director of transportation shall adopt necessary  
4 rules for the administration of inspections and the issuance of  
5 certificates of inspection~~[-]~~; provided that the rules shall  
6 include the following:

7 (1) Requirements that exhaust system components be  
8 inspected for:

9 (A) Condition;

10 (B) Damage;

11 (C) Proper installation;

12 (D) Leakage of gases;

13 (E) Missing or exposed parts; and

14 (F) Presence of the Environmental Protection Agency  
15 label on the muffler, where required;

16 (2) Requirements prohibiting the issuance of certificates  
17 of inspection if:

18 (A) Exhaust system components are leaking, not  
19 securely fastened, or missing;

20 (B) Exhaust system components are equipped with  
21 exhaust cutouts, by-pass, similar devices, or  
22 modifications prohibited by section 291-24;



- 1            (C) Mufflers emit excessive or unusual noise;
- 2            (D) Exhaust gas is not exiting beyond the passenger
- 3            compartment unless intended by the original motor
- 4            vehicle manufacturer; or
- 5            (E) Motorcycle exhaust system components are missing
- 6            the Environmental Protection Agency label
- 7            matching the muffler to the motorcycle, as
- 8            provided in 40 Code of Federal Regulations
- 9            section 205.158; provided that the periodic motor
- 10           vehicle inspection manual for inspectors shall
- 11           include:
  - 12           (i) A photo of the required labels pursuant to
  - 13           subparagraph (E) in the appropriate section
  - 14           relating to exhaust systems; and
  - 15           (ii) The items listed in this subsection."

16           SECTION 3. Statutory material to be repealed is bracketed  
 17 and stricken. New statutory material is underscored.

18           SECTION 4. This Act shall take effect upon its approval.

19

INTRODUCED BY: Debra K. Davis



JAN 23 2008

**Report Title:**

Motor Vehicles; Inspection; Exhaust Systems

**Description:**

Includes the inspection of the exhaust system in the safety inspection of motor vehicles and motorcycles. Imposes penalties for violations.

