

# H.B. NO. 2402

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## A BILL FOR AN ACT

RELATING TO MOTOR VEHICLE INSPECTIONS.

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

1           SECTION 1. One objective of this Act is to provide the  
2 director of transportation greater authority over the motor  
3 vehicle inspection program so that the cost to a vehicle owner  
4 for an inspection, the fees collected from inspection stations,  
5 and the administration of the program can be changed by amending  
6 administrative rules pursuant to chapter 91, Hawaii Revised  
7 Statutes. There is a need to upgrade the methods and procedures  
8 of state motor vehicle inspections, because the current system  
9 is inefficient in that legislation needs to be passed every time  
10 an inspection fee is amended.

11           This Act also reduces the amount of insurance information  
12 required on an inspection certificate. This will reduce data  
13 entry requirements for inspectors without degrading the function  
14 of checking insurance cards. Digital images of the insurance

1 cards will be stored for easy retrieval should a need for  
2 additional information arise.

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

5 "(e) Upon application for a certificate of inspection to  
6 be issued for a vehicle, an inspection as prescribed by the  
7 director under subsection (g) shall be conducted on the vehicle,  
8 and if the vehicle is found to be in [~~a safe operating~~  
9 ~~condition,~~] compliance with the inspection requirements, a  
10 certificate of inspection shall be issued upon payment of a fee  
11 to be determined by the director. The certificate shall state  
12 the [~~effective date, the termination date, the name of the~~  
13 ~~issuing insurance carrier, and the policy number of] insurance  
14 expiration date shown on the motor vehicle insurance  
15 identification card for the inspected motor vehicle as specified  
16 by section 431:10C-107 or determined from a certificate of self-  
17 insurance issued by the state insurance commissioner, as  
18 specified by section 431:10C-606, or state the information  
19 contained in the proof of insurance card as specified by section  
20 431:10G-106. [A] An inspection sticker, authorized by the  
21 director, shall be affixed to the vehicle at the time a  
22 certificate of inspection is issued. An inspection sticker~~

1 which has been lost, stolen, or destroyed shall be replaced  
2 without reinspection by the inspection station that issued the  
3 original inspection sticker upon presentation of the vehicle's  
4 current certificate of inspection; provided that the current  
5 certificate of inspection and inspection sticker shall not have  
6 expired at the time the replacement is requested. The director  
7 shall adopt rules to determine the fee for replacement of lost,  
8 stolen, or destroyed inspection stickers."

9 SECTION 3. Section 286-209, Hawaii Revised Statutes, is  
10 amended to read as follows:

11 **"§286-209 Safety inspection of motor carrier vehicles.**

12 (a) Motor carrier vehicles, including but not limited to  
13 trucks, truck-tractors, semitrailers, trailers, or pole  
14 trailers, having a gross vehicle weight rating of more than ten  
15 thousand pounds, motor carrier vehicles having a gross vehicle  
16 weight rating of ten thousand pounds or less which transport  
17 passengers in the furtherance of a commercial enterprise,  
18 including car rental transport vehicles, and motor carrier  
19 vehicles used in transporting material found by the United  
20 States Secretary of Transportation to be hazardous under 49  
21 U.S.C. section 5103 and transported in a quantity requiring

1 placarding under 49 C.F.R., subtitle B, chapter I, subchapter C,  
2 shall be inspected and certified annually.

3 (b) The director shall adopt rules pursuant to chapter 91  
4 for the administration and enforcement of motor carrier vehicle  
5 safety inspections, including the maximum inspection fee to  
6 vehicle owners, fees collected from the stations, the issuance  
7 of certificates of safety inspection, the affixing of motor  
8 carrier vehicle safety inspection [~~deals,~~] stickers, and the  
9 acceptance of certificates of safety inspection issued in other  
10 jurisdictions.

11 (c) The director shall collect a fee of \$1.50 for each  
12 motor carrier vehicle safety inspection [~~deal~~] sticker issued  
13 by motor carrier vehicle inspection stations[~~-~~], until different  
14 fees established by administrative rules noted in subsection (b)  
15 are in effect, at which time the fees adopted in the  
16 administrative rules shall apply in lieu of said fee herein.  
17 All moneys [~~collected~~] received by the department of  
18 transportation under this section shall be [~~paid~~] deposited into  
19 the state highway fund.

20 (d) A fee of no more than \$12 shall be charged by a motor  
21 carrier inspection station for each safety inspection  
22 performed[~~-~~], until the fee is established by administrative

1 rules in subsection (b) at which time the fee adopted in the  
2 administrative rules shall apply in lieu of said fee herein.

3 (e) For the purposes of this section, "car rental  
4 transport vehicles" means motor carrier vehicles used to  
5 transport customers to or from car rental sites."

6 SECTION 4. This Act does not affect rights and duties that  
7 matured, penalties that were incurred, and proceedings that were  
8 begun, before its effective date.

9 SECTION 5. Statutory material to be repealed is bracketed  
10 and stricken. New statutory material is underscored.

11 SECTION 6. This Act shall take effect upon its approval.

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INTRODUCED BY: \_\_\_\_\_



BY REQUEST

JAN 25 2016

# H.B. NO. 2402

**Report Title:**

Highway; Safety; Motor Vehicle Inspections; Motor Carrier  
Vehicle Inspections

**Description:**

Expands authority of the Director of Transportation over required motor vehicle and motor carrier vehicle inspections in the State. Upgrade the methods and procedures of state motor vehicle inspections because the current system is inefficient in that legislation needs to be passed every time an inspection fee is amended. Also, reduce the amount of insurance information required on an inspection certificate.

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

JUSTIFICATION SHEET

DEPARTMENT: Transportation

TITLE: A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSPECTIONS.

PURPOSE: Expand authority of the Director of Transportation over required motor vehicle and motor carrier vehicle inspections in the State by upgrading the methods and procedures of state motor vehicle inspections because the current system is inefficient in that legislation needs to be passed every time an inspection fee is amended. Also, reduce the amount of insurance information required on an inspection certificate.

MEANS: Amend sections 286-26(e) and 286-209, Hawaii Revised Statutes.

JUSTIFICATION: There is a need to upgrade the methods and procedures of state motor vehicle and motor carrier vehicle inspections. The current system of making changes to the motor carrier vehicle inspection program is inefficient, because legislation needs to be passed in order to change inspection fees.

Amending the administrative rules is a more efficient means of making changes and still allows for input from the public. This bill gives the director expanded authority to make program changes using the process established in chapter 91, Hawaii Revised Statutes.

The bill also deletes all of the insurance information required to be placed on an inspection certificate except the expiration date. With the implementation of an electronic inspection form program, digital images of insurance cards can be made and stored by inspection stations. The image can easily be retrieved if an inspector is suspected of not checking the card or

accepting a fraudulent card. Putting only the expiration date on the inspection certificate will minimize the data entry required by inspectors while providing the most important data on the certificate.

Impact on the public: The proposed legislation will allow the program to be run more efficiently, thereby improving service and value to the public. It will also make changes to the inspection fee structure more expedient. The interests of the public are protected by public hearings that allow an opportunity for public input on any administrative rule amendment.

Impact on the department and other agencies:  
None.

GENERAL FUND:

None.

OTHER FUNDS:

There will be a change in revenue to the State Highway Fund when changes in fees are made. These changes are not designed to make a profit but to make the program self-sustaining.

PPBS PROGRAM

DESIGNATION:

TRN 595.

OTHER AFFECTED

AGENCIES:

None.

EFFECTIVE DATE:

Upon approval.