

JAN 22 2016

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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           To optimize the effectiveness of highway safety programs,  
2 the National Highway Traffic Safety Administration recommends  
3 that each state have a program for periodic safety inspections  
4 of all registered motor vehicles. Inspections are intended to  
5 reduce the number of unsafe vehicles on the road. The  
6 legislature agrees that inspections are necessary to ensure  
7 vehicles are in working order, ultimately increasing safety for  
8 all who use the roadways.

9           Data from a report released in August of 2015 by the United  
10 States Government Accountability Office (GAO) found that only  
11 sixteen states currently require periodic motor vehicle safety  
12 inspections. Of those sixteen states, Hawaii is one of eleven  
13 that require inspections to be conducted on an annual basis,  
14 while five states require inspections to be conducted on either  
15 a biennial or other basis. The results of the GAO study reveal  
16 that the existence of annual motor vehicle inspection programs  
17 does not produce conclusive evidence of improving vehicle safety



1 conditions. Crash rates before and after the elimination of  
2 motor vehicles safety inspection programs varied little from  
3 year to year following the elimination of inspection programs.

4 The legislature finds that the current annual inspection  
5 program is an undue hardship to Hawaii's residents, especially  
6 those in rural areas. The recent decrease in availability of  
7 safety inspectors and limited hours of business by inspection  
8 operators favors a shift from annual to biennial inspections.  
9 However, the legislature does not intend to permit an increase  
10 in the fees collected for inspection services performed on a  
11 biennial schedule.

12 The purpose of this Act is to amend the requirement that  
13 motorists obtain an annual inspection to a biennial inspection.

14 SECTION 2. Section 286-26, Hawaii Revised Statutes, is  
15 amended to read as follows:

16 "**§286-26 Certificates of inspection.** (a) The following  
17 vehicles shall be certified as provided in subsection (e) once  
18 every year:

- 19 (1) Trucks, truck-tractors, semitrailers, and pole  
20 trailers having a gross vehicle weight rating of more  
21 than 10,000 pounds;



1 (2) Buses;

2 (3) Rental or U-drive motor vehicles two years of age or  
3 older; and

4 (4) Taxicabs.

5 Ambulances shall be certified as provided in subsection (e) once  
6 every six months.

7 (b) All other vehicles, including motorcycles, trailers,  
8 semitrailers, and pole trailers having a gross vehicle weight  
9 rating of 10,000 pounds or less, and antique motor vehicles as  
10 defined in section 249-1, except those in subsections (c) and  
11 (d), shall be certified as provided in subsection (e) every  
12 ~~[twelve]~~ twenty-four months; ~~provided that any vehicle to which~~  
13 ~~this subsection applies shall not require inspection within two~~  
14 ~~years of the date on which the vehicle was first sold.~~

15 (c) Any vehicle that has been involved in an accident  
16 shall be certified as provided in subsection (e) before it is  
17 operated again if:

18 (1) It is determined by a police officer or an insurer  
19 that the vehicle's equipment has been damaged so as to  
20 render the vehicle unsafe; or

21 (2) It is rebuilt or restored.



1 (d) Every vehicle shall be certified prior to the issuance  
2 of a temporary or permanent registration by the director of  
3 finance and prior to the transfer of any registration; provided  
4 that this requirement shall not apply to a subsequent transfer  
5 of registration in a vehicle that carries a current certificate  
6 of inspection.

7 (e) Upon application for a certificate of inspection to be  
8 issued for a vehicle, an inspection as prescribed by the  
9 director under subsection (g) shall be conducted on the vehicle,  
10 and if the vehicle is found to be in a safe operating condition,  
11 a certificate of inspection shall be issued upon payment of a  
12 fee to be determined by the director. The certificate shall  
13 state the effective date, the termination date, the name of the  
14 issuing insurance carrier, and the policy number of the motor  
15 vehicle insurance identification card for the inspected motor  
16 vehicle as specified by section 431:10C-107 or state the  
17 information contained in the proof of insurance card as  
18 specified by section 431:10G-106. A sticker, authorized by the  
19 director, shall be affixed to the vehicle at the time a  
20 certificate of inspection is issued. An inspection sticker  
21 which has been lost, stolen, or destroyed shall be replaced



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

8 (f) The operator of an official inspection station shall  
9 pay, from the fee in subsection (e), an amount to be determined  
10 by rules adopted pursuant to chapter 91 to the director of  
11 transportation. This amount shall be expended only for  
12 administration and enforcement of the periodic motor vehicle  
13 inspection program. The funds collected pursuant to this  
14 subsection shall be deposited into the highway special fund.

15 (g) The director of transportation shall adopt necessary  
16 rules for the administration of inspections and the issuance of  
17 certificates of inspection.

18 (h) This section shall not apply to:

19 (1) Any motor vehicle which is covered by part XI,  
20 governing safety of motor carrier vehicle operation  
21 and equipment; provided that the rules adopted



1           pursuant to part IA impose standards of inspection at  
2           least as strict as those imposed under subsection (g)  
3           and that certification is required at least as often  
4           as provided in subsections (a), (b), (c), and (d); and

5           (2) Aircraft servicing vehicles that are being used  
6           exclusively on lands set aside to the department of  
7           transportation for airport purposes.

8           (i) As part of the inspection required by this section,  
9           the owner of the vehicle to be inspected shall produce and  
10          display the motor vehicle insurance identification card for the  
11          inspected motor vehicle required by section 431:10C-107 or the  
12          proof of insurance card required by section 431:10G-106. If no  
13          card is displayed, then the sticker authorized by the director  
14          shall not be affixed to the vehicle and the certificate of  
15          inspection shall not be issued."

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.

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# S.B. NO. 2715

INTRODUCED BY:

*Amador Llanes*



# S.B. NO. 2715

**Report Title:**

Motor Vehicles; Certificates of Inspection

**Description:**

Requires motor vehicles safety inspections to be conducted every two years rather than annually.

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

