

S.B. NO. 1276

JAN 24 2019

A BILL FOR AN ACT

RELATING TO MOTOR CARRIER VEHICLE SAFETY INSPECTIONS.

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

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

11 SECTION 2. Section 286-209, Hawaii Revised Statutes, is
12 amended by amending subsections (b), (c), and (d) to read as
13 follows:

14 "(b) The director shall adopt rules pursuant to chapter 91
15 for the administration and enforcement of motor carrier vehicle
16 safety inspections, including the maximum inspection fee charged
17 to vehicle owners, fees collected from the stations, the
18 issuance of certificates of safety inspection, the affixing of

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1 motor carrier vehicle safety inspection [~~deals,~~] stickers, and
2 the acceptance of certificates of safety inspection issued in
3 other jurisdictions.

4 (c) The director shall initially collect a fee of \$1.50
5 for each motor carrier vehicle safety inspection [~~deal~~] sticker
6 issued by motor carrier vehicle inspection stations[-], then
7 collect the maximum inspection fee when the fee is established
8 by administrative rules pursuant to subsection (b). All moneys
9 [~~collected~~] received by the department of transportation
10 pursuant to this section shall be [~~paid~~] deposited into the
11 state highway fund.

12 (d) A fee of no more than \$12 shall initially be charged
13 by a motor carrier inspection station for each safety inspection
14 performed[-], then no more than the maximum inspection fee shall
15 be charged when the fee is established by administrative rules
16 pursuant to subsection (b)."

17 SECTION 3. Section 286-210, Hawaii Revised Statutes, is
18 amended to read as follows:

19 "**§286-210 Operation of a motor carrier vehicle without a**
20 **safety inspection [~~deal-~~] sticker.** Whoever operates, permits
21 the operation of, causes to be operated, or parks any motor
22 carrier vehicle on a public highway without a current motor

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1 carrier vehicle safety inspection [~~decal~~,] sticker, issued under
2 section 286-209, shall be fined \$100 for each day of the
3 violation."

4 SECTION 5. This Act does not affect rights and duties that
5 matured, penalties that were incurred, and proceedings that were
6 begun, before its effective date.

7 SECTION 4. Statutory material to be repealed is bracketed
8 and stricken. New statutory material is underscored.

9 SECTION 5. This Act shall take effect upon its approval.

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INTRODUCED BY: _____



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BY REQUEST

14

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Report Title:

Transportation; Motor Vehicle Inspections

Description:

Expands authority of the Director of Transportation over required motor carrier vehicle inspections.

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 CARRIER VEHICLE SAFETY INSPECTIONS.

PURPOSE: Allows the Director of Transportation to upgrade the motor carrier vehicle safety inspection program in the State by authorizing changes to the program pursuant to the amendment of administrative rules.

MEANS: Amend sections 286-209(b), (c), and (d) and 286-210, Hawaii Revised Statutes.

JUSTIFICATION: There is a need to upgrade the methods and procedures of motor carrier vehicle safety inspection program.

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

Impact on the public: The proposed legislation will allow the program to be run more efficiently, thereby improving service and value to the public. 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: None.

PPBS PROGRAM

DESIGNATION: TRN 595.

OTHER AFFECTED

AGENCIES: None.

EFFECTIVE DATE: Upon approval.