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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. The legislature finds that, in order to  
2 optimize the effectiveness of highway safety programs, the  
3 National Highway Traffic Safety Administration recommends that  
4 each state have a program for periodic safety inspections of all  
5 registered motor vehicles. Motor vehicle safety inspections are  
6 intended to reduce the number of vehicles with existing or  
7 potential conditions that may contribute to crashes or increase  
8 the severity of crashes that do occur. The legislature agrees  
9 that oversight is needed to ensure motor vehicles are kept in  
10 good working order so as not to endanger the driver, any other  
11 occupant of the motor vehicle, or any other person upon the  
12 roadway.

13           In an August 2015 report entitled "*Vehicle Safety*  
14 *Inspections: Improved DOT Communication Could Better Inform*  
15 *State Programs*", the United States Government Accountability  
16 Office found that only sixteen states currently require periodic  
17 motor vehicle safety inspections. Of those sixteen states,



1 Hawaii is one of eleven that require inspections to be conducted  
2 on an annual basis, while five states require inspections to be  
3 conducted on either a biennial or other basis. Further, sixteen  
4 of the thirty-four states with no motor vehicle safety  
5 inspection requirement once required these inspections but have  
6 since repealed the programs. The Government Accountability  
7 Office also notes that while officials in states with existing  
8 motor vehicle safety inspection programs contend that the  
9 programs improve vehicle safety conditions, data on crash rates  
10 in relation to the programs are insufficient or inconclusive.  
11 For example, the Government Accountability Office analyzed crash  
12 rates before and after the elimination of motor vehicle safety  
13 inspection programs and found that rates varied little from year  
14 to year, even after the elimination of the inspection programs.

15 The legislature further finds that the decreased  
16 availability of safety inspectors, compounded by the  
17 increasingly limited number of hours offered to the public to  
18 receive the services, has caused annual motor vehicle safety  
19 inspections to become an undue hardship on Hawaii's residents,  
20 particularly residents living in rural areas. Amending the  
21 motor vehicle safety inspection requirements would enable the



1 State to maintain high vehicle safety standards while addressing  
2 the needs of safety inspectors and drivers.

3 The purpose of this Act is to:

- 4 (1) Provide that no new vehicle needs a safety inspection  
5 until five years after the date the vehicle was first  
6 sold, unless the vehicle was modified;
- 7 (2) Require a two-year motor vehicle safety check for  
8 vehicles ten years of age or newer, unless the vehicle  
9 was modified;
- 10 (3) Require an annual motor vehicle safety check for  
11 vehicles older than ten years of age or any vehicle  
12 that has been modified; and
- 13 (4) Double the inspection fee for the two-year motor  
14 vehicles inspection safety check.

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

17 1. By amending subsection (b) to read:

18 "(b) All other vehicles, including motorcycles, mopeds,  
19 trailers, semitrailers, and pole trailers having a gross vehicle  
20 weight rating of 10,000 pounds or less, and antique motor  
21 vehicles as defined in section 249-1, except those in



1 subsections (c) and (d), shall be certified as provided in  
2 subsection (e) [~~every twelve months; provided that any vehicle~~  
3 ~~to which this subsection applies, except a moped, shall not~~  
4 ~~require inspection within two years of the date on which the~~  
5 ~~vehicle was first sold.]; provided that:~~

6 (1) No new vehicle shall require inspection until five  
7 years after the date on which the vehicle was first  
8 sold; provided further that the vehicle was not  
9 modified;

10 (2) Any vehicle with a model year ten years of age or  
11 newer but older than five years of age shall be  
12 certified every twenty-four months; provided further  
13 that the vehicle was not modified; and

14 (3) Any vehicle with a model year older than ten years of  
15 age or any vehicle that has been modified shall be  
16 certified every twelve months."

17 2. By amending subsection (e) to read:

18 "(e) Upon application for a certificate of inspection to  
19 be issued for a vehicle or moped, an inspection as prescribed by  
20 the director under subsection (g) shall be conducted on the  
21 vehicle or moped, and if the vehicle or moped is found to be in



1 a safe operating condition, a certificate of inspection shall be  
2 issued upon payment of a fee to be determined by the  
3 director[-]; provided that the fee for a vehicle with a model  
4 year ten years of age or newer shall be twice that of the fee  
5 charged for a vehicle with a model year older than ten years of  
6 age. The certificate shall state the effective date, the  
7 termination date, the name of the issuing insurance carrier, and  
8 the policy number of the motor vehicle insurance identification  
9 card for the inspected motor vehicle as specified by section  
10 431:10C-107 or state the information contained in the proof of  
11 insurance card as specified by section 431:10G-106. A sticker,  
12 authorized by the director, shall be affixed to the vehicle or  
13 moped at the time a certificate of inspection is issued. An  
14 inspection sticker [~~which~~] that has been lost, stolen, or  
15 destroyed shall be replaced without reinspection by the  
16 inspection station that issued the original inspection sticker  
17 upon presentation of the current certificate of inspection;  
18 provided that the current certificate of inspection and  
19 inspection sticker shall not have expired at the time the  
20 replacement is requested. The director shall adopt rules to



1 determine the fee for replacement of lost, stolen, or destroyed  
2 inspection stickers."

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

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

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

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke at the end, positioned above a horizontal line.

# S.B. NO. 493

**Report Title:**

Motor Vehicle Inspection; Safety Checks; Inspection Fee

**Description:**

Provides that no new vehicle needs a safety inspection until five years after the date the vehicle was first sold, unless the vehicle was modified. Requires a two-year motor vehicle safety check for vehicles ten years of age or newer, unless the vehicle was modified. Requires an annual motor vehicle safety check for vehicles older than ten years of age or any vehicle that has been modified. Doubles the inspection fee for the two-year motor vehicles inspection safety check.

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

