

S.B. NO. 1403

JAN 25 2023

A BILL FOR AN ACT

RELATING TO MOTOR CARRIER VEHICLE INSPECTIONS.

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

1 SECTION 1. Section 286-209, Hawaii Revised Statutes, is
2 amended to read as follows:
3 "§286-209 **Safety inspection of motor carrier**
4 **vehicles.** (a) Motor carrier vehicles, including but not
5 limited to trucks, truck-tractors, semitrailers, trailers, or
6 pole trailers, having a gross vehicle weight rating of more than
7 ten thousand pounds, motor carrier vehicles having a gross
8 vehicle weight rating of ten thousand pounds or less which
9 transport passengers in the furtherance of a commercial
10 enterprise, including car rental transport vehicles, and motor
11 carrier vehicles used in transporting material found by the
12 United States Secretary of Transportation to be hazardous under
13 49 U.S.C. section 5103 and transported in a quantity requiring
14 placarding under 49 C.F.R., subtitle B, chapter I, subchapter C,
15 shall be inspected and certified annually.

S.B. NO. 1403

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

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

17 (d) A fee of no more than \$12 shall initially be charged
18 by a motor carrier inspection station for each safety inspection
19 performed[~~-~~], then no more than the maximum inspection fee shall
20 be charged when the fee is established by administrative rules
21 pursuant to subsection (b).

S.B. NO. 1403

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

4 SECTION 2. Section 286-210, Hawaii Revised Statutes, is
5 amended to read as follows:

6 "§286-210 Operation of a motor carrier vehicle without a
7 safety inspection [~~decal~~] sticker. Whoever operates, permits
8 the operation of, causes to be operated, or parks any motor
9 carrier vehicle on a public highway without a current motor
10 carrier vehicle safety inspection [~~decal~~] sticker, issued under
11 section 286-209, shall be fined \$100 for each day of the
12 violation."

13 SECTION 3. This Act does not affect rights and duties that
14 matured, penalties that were incurred, and proceedings that were
15 begun, before its effective date.

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

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

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INTRODUCED BY: 

BY REQUEST

S.B. NO. 1403

Report Title:

Motor Vehicle Inspection Program; Authorization to Amend Hawaii Administrative Rules

Description:

Allows the Director of Transportation to upgrade the motor carrier vehicle inspections in the State by authorizing changes to the program to be implemented by administrative rules.

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

SB. NO. 1403

JUSTIFICATION SHEET

DEPARTMENT: Transportation

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

PURPOSE: To allow the Director of Transportation to upgrade the motor carrier vehicle inspections in the State by authorizing changes to the program to be implemented by 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 inspections.

Amending administrative rules is a more efficient means of making changes and adapting more quickly to the changing needs of the 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: This bill 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 597.

SB. NO. 1403

OTHER AFFECTED
AGENCIES:

None.

EFFECTIVE DATE:

Upon approval.