

A Bill for an Act Relating to Motor Vehicle Safety Inspections.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. Section 286-26, Hawaii Revised Statutes, is amended to read as follows:

“**§286-26 Certificates of inspection.** (a) The following vehicles shall be certified as provided in subsection (e) once every six months:

- (1) Ambulances[.];
- (2) Trucks, truck-tractors, semitrailers, [or] and pole trailers having a gross vehicle weight rating of more than 10,000 pounds[.];
- (3) Buses[.];
- (4) Rental or U-drive motor vehicles[.]; and
- (5) Taxi cabs.

(b) All other vehicles, including motorcycles, trailers, semitrailers, and pole trailers having a gross vehicle weight rating of 10,000 pounds or less, and antique motor vehicles as defined in section 249-1, except those in subsections (c) and (d), shall be certified as provided in subsection (e) every twelve months.

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

- (1) It is determined by a police officer or an insurer that the vehicle's equipment has been damaged so as to render the vehicle unsafe; or
- (2) It is rebuilt or restored.

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

(e) Upon application for a certificate of inspection to be issued on a vehicle, an inspection as prescribed by the director of transportation under subsection [(f)] (g) shall be conducted on the vehicle, and if the vehicle is found to be in a safe operating condition, a certificate of inspection shall be issued upon payment of a fee to be determined by the [council of each county.] director of transportation. A sticker, authorized by the director of transportation, shall be affixed to the vehicle at the time a certificate of inspection is issued.

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

[(f)] (g) The director of transportation shall adopt necessary rules [and regulations] for the administration of inspections[, ] and the issuance of certificates of inspection[, ] and the acceptance of certificates of inspection issued in other jurisdictions].

[(g)] (h) This section shall not apply to:

- (1) Any motor vehicle which is covered by part XI [of this chapter], governing safety of motor carrier vehicle operation and equipment; provided that the rules adopted pursuant to part IA[, ] impose standards of inspection at least as strict as those imposed under subsection [(f),] (g) and that certification is required at least as often as provided in subsections (a), (b), (c), and (d); and

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

[ (h) ] (i) As part of the inspection required by this section, the owner of the vehicle to be inspected shall produce and display the no-fault insurance identification card for the inspected motor vehicle required by section 294-8.5 or the proof of insurance card required by section 294-12.6. If no card is displayed, then the sticker authorized by the [state] director of transportation shall not be affixed to the vehicle and the certificate of inspection shall not be issued.”

SECTION 2. Section 286-27, Hawaii Revised Statutes, is amended to read as follows:

“**§286-27 Permits to operate official inspection stations.** (a) [Each county, through its legislative body, shall designate a county department,] The department of transportation, referred to in this section and sections 286-28 and 286-29 as “the department”, [whose responsibility shall include the issuance of] shall be responsible for issuing permits for and [the] furnishing [of] instructions and all forms to official inspection stations [within the respective county]. The stations shall operate in the manner directed by the department pursuant to standards established by the [state] director of transportation.

(b) Application for an official inspection permit shall be made upon an official form and shall be granted only when the department is satisfied that the station is properly equipped and has competent personnel to make the required inspections. Before issuing a permit, the department shall require [that] the applicant to file proof that the applicant has, in effect, a liability insurance policy, issued to the applicant by an insurance company[,] authorized to do business in the State, insuring against the liability of the applicant and any of the applicant’s employees[,] in minimum amounts as follows: comprehensive public liability insurance in the amount of \$10,000 for one person and \$20,000 for one accident and comprehensive property damage insurance of \$5,000; provided that the [state] director of transportation [may,] by rules [and regulations, set] may establish higher limits; provided that the proof of insurance need not be filed by an applicant who shall inspect only vehicles owned by the applicant; and provided further that the proof of insurance need not be filed by instrumentalities of the United States.

(c) A permit for an official station shall not be assigned or transferred or used at any location other than that designated by the department and every [said] permit shall be posted in a conspicuous place at the location [so] designated.

(d) The department of transportation may contract with the counties for the necessary administrative and enforcement services.”

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

SECTION 4. This Act shall take effect on July 1, 1989.

(Approved June 9, 1988.)