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## HOUSE CONCURRENT RESOLUTION

REQUESTING THE DEPARTMENT OF TRANSPORTATION TO DEFINE WINDSHIELD  
AND CLARIFY THE MEANING OF AN OBSTRUCTION OF THE DRIVER'S  
CLEAR VIEW IN THE PERIODIC MOTOR VEHICLE INSPECTION MANUAL  
FOR INSPECTORS OF PASSENGER CARS AND LIGHT TRUCKS.

1           WHEREAS, the people of Hawaii should have the freedom to  
2 safely express their individual character and values; and  
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4           WHEREAS, the State Department of Transportation is tasked  
5 with developing rules and regulations for uniform implementation  
6 across the State; and  
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8           WHEREAS, the people of Hawaii deserve clarity from the  
9 Department of Transportation when it develops rules for  
10 inspectors of passenger cars and light trucks; and  
11

12           WHEREAS, the Department of Transportation is responsible  
13 for the issuance of both inspection station permits and  
14 inspector certificates; and  
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16           WHEREAS, regarding the legality of having stickers on the  
17 rear window, members of the public are often given irrelevant or  
18 incorrect information from public officials and motor vehicle  
19 inspectors; and  
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21           WHEREAS, a windshield is the front window of a passenger  
22 car or light truck; and  
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24           WHEREAS, the Periodic Motor Vehicle Inspection Manual for  
25 Inspectors of Passenger Cars and Light Trucks states that any  
26 motor vehicle with any nontransparent material or object  
27 suspended within the windshield area is to fail the inspection,  
28 but this should only pertain to the front windshield, and not  
29 the rear window; and



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2 WHEREAS, the only relevant discussion of the rear window  
3 requirement within the Periodic Motor Vehicle Inspection Manual  
4 for Inspectors of Passenger Cars and Light Trucks is the  
5 statement that any motor vehicle with any nontransparent  
6 material upon the front windshield, side wings, or side or rear  
7 windows of such vehicle "which obstructs the driver's clear  
8 view" is to fail the inspection; and  
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10 WHEREAS, the subjective decision of an inspector  
11 interpreting the meaning of a clear obstruction of the driver's  
12 "clear view" will lead to inconsistent practices and undermine  
13 the purpose of such regulations; and  
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15 WHEREAS, the people of Hawaii have been needlessly required  
16 to destroy personal property - specifically, removing stickers  
17 on the rear window of their cars, thus negatively influencing  
18 associated businesses and encroaching on individual rights; now,  
19 therefore,  
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21 BE IT RESOLVED by the House of Representatives of the  
22 Twenty-eighth Legislature of the State of Hawaii, Regular  
23 Session of 2015, the Senate concurring, that this body hereby  
24 requests the State Department of Transportation to define  
25 "windshield", and clarify the meaning of "an obstruction of the  
26 driver's clear view" in the Periodic Motor Vehicle Inspection  
27 Manual for Inspectors of Passenger Cars and Light Trucks; and  
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29 BE IT FURTHER RESOLVED that the Department of  
30 Transportation is requested to publically disseminate  
31 information regarding the clarification of current regulations  
32 and any changes made to the Periodic Motor Vehicle Inspection  
33 Manual for Inspectors of Passenger Cars and Light Trucks; and  
34

35 BE IT FURTHER RESOLVED that the Department of  
36 Transportation is further requested to assess the feasibility of  
37 developing an Office of the Ombudsman to track complaints  
38 regarding inspection stations and inspectors; and  
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40 BE IT FURTHER RESOLVED that certified copies of this  
41 Concurrent Resolution be transmitted to the Director of the



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1 Department of Transportation, the chief of police in each  
2 county, and both the executive and legislative branches of  
3 Hawaii County, the City and County of Honolulu, Kauai County,  
4 and Maui County.

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OFFERED BY:

*[Handwritten Signature]*

*A. Juppola*

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*[Handwritten Signature]*

*Felici Pouna*

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JAN 23 2015

