

S.B. NO. 1014

JAN 25 2017

A BILL FOR AN ACT

RELATING TO MOTOR VEHICLE INSPECTIONS.

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

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

11 This Act also clarifies the expiration date of the
12 inspection certificate and the expiration date of a vehicle's
13 insurance.

14 SECTION 2. Section 286-26, Hawaii Revised Statutes, is
15 amended by amending subsection (e) to read as follows:

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1 "(e) Upon application for a certificate of inspection to
2 be issued for a vehicle, an inspection as prescribed by the
3 director under subsection (g) shall be conducted on the vehicle,
4 and if the vehicle is found to be in [~~a safe operating~~
5 ~~condition,~~] compliance with the inspection requirements, a
6 certificate of inspection shall be issued upon payment of a fee
7 to be determined by the director. The certificate shall state
8 [~~the~~] its effective date, [~~the termination~~] its expiration date,
9 the name of the [~~issuing~~] vehicle's insurance carrier, the
10 policy expiration date, and the policy number of the motor
11 vehicle insurance identification card for the inspected motor
12 vehicle as specified by section 431:10C-107 or determined from a
13 certificate of self-insurance issued by the state insurance
14 commissioner, as specified by section 431:10C-606, or state the
15 information contained in the proof of insurance card as
16 specified by section 431:10G-106. [A] An inspection sticker,
17 authorized by the director, shall be affixed to the vehicle at
18 the time a certificate of inspection is issued. An inspection
19 sticker which has been lost, stolen, or destroyed shall be
20 replaced without reinspection by the inspection station that
21 issued the original inspection sticker upon presentation of the
22 vehicle's current certificate of inspection; provided that the

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1 current certificate of inspection and inspection sticker shall
2 not have expired at the time the replacement is requested. The
3 director shall adopt rules to determine the fee for replacement
4 of lost, stolen, or destroyed inspection stickers."

5 SECTION 3. Section 286-209, Hawaii Revised Statutes, is
6 amended to read as follows:

7 "§286-209 Safety inspection of motor carrier vehicles.

8 (a) Motor carrier vehicles, including but not limited to
9 trucks, truck-tractors, semitrailers, trailers, or pole
10 trailers, having a gross vehicle weight rating of more than ten
11 thousand pounds, motor carrier vehicles having a gross vehicle
12 weight rating of ten thousand pounds or less which transport
13 passengers in the furtherance of a commercial enterprise,
14 including car rental transport vehicles, and motor carrier
15 vehicles used in transporting material found by the United
16 States Secretary of Transportation to be hazardous under 49
17 U.S.C. section 5103 and transported in a quantity requiring
18 placarding under 49 C.F.R., subtitle B, chapter I, subchapter C,
19 shall be inspected and certified annually.

20 (b) The director shall adopt rules pursuant to chapter 91
21 for the administration and enforcement of motor carrier vehicle
22 safety inspections, including the maximum inspection fee to

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1 vehicle owners, fees collected from the stations, the issuance
2 of certificates of safety inspection, the affixing of motor
3 carrier vehicle safety inspection [~~deals,~~] stickers, and the
4 acceptance of certificates of safety inspection issued in other
5 jurisdictions.

6 (c) The director shall collect a fee of \$1.50 for each
7 motor carrier vehicle safety inspection [~~deal~~] sticker issued
8 by motor carrier vehicle inspection stations[-], until different
9 fees established by administrative rules noted in subsection (b)
10 are in effect, at which time the fees adopted in the
11 administrative rules shall apply in lieu of said fee herein.

12 All moneys [~~collected~~] received by the department of
13 transportation under this section shall be [~~paid~~] deposited into
14 the state highway fund.

15 (d) A fee of no more than \$12 shall be charged by a motor
16 carrier inspection station for each safety inspection
17 performed[-], until the fee is established by administrative
18 rules in subsection (b), at which time the fee adopted in the
19 administrative rules shall apply in lieu of said fee herein.

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

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

4 SECTION 5. Statutory material to be repealed is bracketed
5 and stricken. New statutory material is underscored.

6 SECTION 6. This Act shall take effect upon its approval.

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INTRODUCED BY: MMN. W.

9

BY REQUEST

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Report Title:

Highway; Safety; Motor Vehicle Inspections; Motor Carrier Vehicle Inspections

Description:

Expands authority of the Director of Transportation over required motor vehicle and motor carrier vehicle inspections in the State. Upgrade the methods and procedures of state motor vehicle inspections because the current system is inefficient in that legislation needs to be passed every time an inspection fee is amended. Also, clarifies the distinction between the inspection certificate expiration date and the vehicle's insurance expiration date.

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 VEHICLE INSPECTIONS.

PURPOSE: Expands authority of the Director of Transportation over required motor vehicle and motor carrier vehicle inspections in the State by upgrading the methods and procedures of state motor vehicle inspections because the current system is inefficient in that legislation needs to be passed every time an inspection fee is amended. Also, clarifies the distinction between the inspection certificate expiration data and the vehicle's insurance expiration date.

MEANS: Amend sections 286-26(e) and 286-209, Hawaii Revised Statutes.

JUSTIFICATION: There is a need to upgrade the methods and procedures of state motor vehicle and motor carrier vehicle inspections. The current system of making changes to the motor carrier vehicle inspection program is inefficient, because legislation needs to be passed in order to change inspection fees.

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

The bill also clarifies the distinction between the inspection certificate expiration data and the vehicle's insurance expiration date. With the implementation of the electronic inspection form program, digital images of insurance cards can be made and stored by inspection stations. The image can easily be retrieved if an inspector is

suspected of not checking the card or accepting a fraudulent card. Putting the expiration date of the inspection certification and the vehicle's insurance expiration date on the inspection certificate will provide the most important data on the certificate.

Impact on the public: The proposed legislation will allow the program to be run more efficiently, thereby improving service and value to the public. It will also make changes to the inspection fee structure more expedient. 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:

There will be a change in revenue to the State Highway Fund when changes in fees are made. These changes are not designed to make a profit but to make the program self-sustaining.

PPBS PROGRAM
DESIGNATION:

TRN 595.

OTHER AFFECTED
AGENCIES:

None.

EFFECTIVE DATE:

Upon approval.