

JAN 24 2018

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# A BILL FOR AN ACT

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RELATING TO MOTOR VEHICLE INSPECTIONS.

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

1       SECTION 1. The purpose of this Act is to provide the  
2 director of transportation greater authority over the motor  
3 carrier 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 is  
9 inefficient in that legislation needs to be passed every time an  
10 inspection fee is amended.

11       SECTION 2. Section 286-209, Hawaii Revised Statutes, is  
12 amended by amending subsections (b), (c), and (d) to read as  
13 follows:

14       "(b) The director shall adopt rules pursuant to chapter 91  
15 for the administration and enforcement of motor carrier vehicle  
16 safety inspections, including the maximum inspection fee to  
17 vehicle owners, fees collected from the stations, the issuance  
18 of certificates of safety inspection, the affixing of motor

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1 carrier vehicle safety inspection [~~decals~~] stickers, and the  
2 acceptance of certificates of safety inspection issued in other  
3 jurisdictions.

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

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

17 SECTION 3. Section 286-210, Hawaii Revised Statutes, is  
18 amended to read as follows:

19 "**§286-210 Operation of a motor carrier vehicle without a**  
20 **safety inspection** [~~decals~~] **sticker.** Whoever operates, permits  
21 the operation of, causes to be operated, or parks any motor  
22 carrier vehicle on a public highway without a current motor

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1 carrier vehicle safety inspection [~~decal,~~] sticker, issued under  
2 section 286-209, shall be fined \$100 for each day of the  
3 violation."

4 SECTION 5. This Act does not affect rights and duties that  
5 matured, penalties that were incurred, and proceedings that were  
6 begun, before its effective date.

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

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

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INTRODUCED BY:



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BY REQUEST

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**Report Title:**

Transportation; Motor Vehicle Inspection

**Description:**

Expands authority of the Director of Transportation over required motor carrier vehicle inspections.

*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

**SB. NO. 2828**

DEPARTMENT: Transportation

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

PURPOSE: 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.

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 still allows for input from the public as compared to enacting legislation to the vehicle inspection 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: The proposed legislation 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

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DESIGNATION: TRN 595.

OTHER AFFECTED  
AGENCIES: None.

EFFECTIVE DATE: Upon approval.