

ACT 14

S.B. NO. 2758

A Bill for an Act Relating to Safety Inspection of Motor Carrier Vehicles.

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

SECTION 1. Section 286-207, Hawaii Revised Statutes, is amended to read as follows:

**“§286-207 Exemptions, certain vehicles.** This part shall not apply to the following vehicles, if such vehicles are in compliance with safety ordinances and rules of the county in which they operate and other applicable state safety laws and rules:

- (1) The type of passenger carrying vehicle known as a “sampan bus” within a radius of twenty miles from the city of Hilo, Hawaii;
- (2) Station wagons for the carriage of property;
- (3) Trucks, truck-trailers, trailers, or other nonpassenger carrying equipment having a gross vehicle weight rating of 10,000 pounds or less~~er~~, except vehicles used in transporting material found by the United States Secretary of Transportation to be hazardous under

49 U.S.C. section 5103 and transported in a quantity requiring placarding under 49 C.F.R., subtitle B, chapter I, subchapter C;

- (4) Taxicabs as described in section 271-5(3)(B);
- (5) Passenger carrying vehicles with a seating capacity of nine or less used for the transportation of employees to and from the jobsite;
- (6) Passenger carrying vehicles used by employees solely for their own transportation to, from, and during work;
- (7) Passenger carrying vehicles with a gross vehicle weight of 10,000 pounds or less used in car or van pools for the movement of passengers to and from work;
- (8) A passenger carrying vehicle used for the transportation, without compensation, of persons for private, recreational, or entertainment purposes;
- (9) A passenger carrying vehicle with a gross vehicle weight rating of 10,000 pounds or less used solely for the transportation, without compensation, of the vehicle owner, the vehicle owner's family or guests;
- (10) A passenger carrying vehicle with a gross vehicle weight rating of 10,000 pounds or less used for the transportation, without compensation, of persons for the furtherance of their physical or mental rehabilitation or for social welfare activities."

SECTION 2. Section 286-209, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

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

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

SECTION 4. This Act shall take effect upon its approval.

(Approved April 12, 2010.)