

Rules Amending Title 19  
Hawaii Administrative Rules

1. Chapter 133.5 of Title 19, Hawaii Administrative Rules, entitled "Fine, Suspension or Revocation of an Official Inspection Station or Inspector's Certification" is amended and compiled to read as follows:

"HAWAII ADMINISTRATIVE RULES

TITLE 19

DEPARTMENT OF TRANSPORTATION

SUBTITLE 5

MOTOR VEHICLE SAFETY OFFICE

CHAPTER 133.5

FINE, SUSPENSION OR REVOCATION OF AN OFFICIAL  
INSPECTION STATION OR INSPECTOR'S CERTIFICATION

Subchapter 1 General Provisions

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## SUBCHAPTER 1

### GENERAL PROVISIONS

§19-133.5-1 Scope. This chapter shall apply to every official inspection station and every person who conducts official vehicle safety inspections. [Eff 7/31/89; comp ] (Auth: HRS §§286-17, 28)  
(Imp: HRS §286-28)

§19-133.5-2 Purpose. The purpose of this chapter is to establish:

- (1) Minimum criteria relating to suspension or revocation of an official inspection station permit or a certified vehicle inspector's certification;
- (2) Minimum [~~period~~] finest and periods of suspension or revocation for various infractions; and
- (3) Hearing practices and procedures for aggrieved persons. [Eff 7/31/89; am and comp ] (Auth: HRS §§286-17, 28)  
(Imp: HRS §286-28)

~~§19-134-3~~ §19-133.5-3 Definitions. The definitions in chapter 19-133.2, HAR apply to this chapter. As used in this chapter:

~~"Certificate of inspection" or "safety inspection certificate" means a completed inspection checklist of vehicle components or testing of sun screening devices which was used to conduct inspection required by chapter 10-133.2, and signed by the certified vehicle inspector who performed the inspection.~~

~~"Certified vehicle inspector" or "inspector" means a person who possesses a current, valid inspector certificate and a certificate to test sun screening devices issued by the DOT.~~

~~"County agency" means the county department contracted by the department as having responsibility for administering, enforcing, and supervising the official safety inspection program in that county.~~

~~"Department" means the state department of transportation (DOT).~~

~~"Director" means the state director of transportation.]~~

"Inspection equipment" means the equipment required by every inspection station to conduct official vehicle safety inspections in accordance with chapter 19-133.2, Hawaii Administrative Rules (HAR).

- ~~["Major infraction" means but is not necessarily limited to the following discrepancies:~~
- ~~(1) Defective inspection equipment;~~
  - ~~(2) Failure to notify DOT of change in inspection station address;~~
  - ~~(3) Failure to notify DOT of change in ownership or management of the inspection station;~~
  - ~~(4) Failure to properly equip or maintain required inspection equipment to conduct vehicle inspections.~~
  - ~~(5) Permitting unauthorized person(s) to inspect, issue or affix inspection stickers to a vehicle;~~
  - ~~(6) No certified vehicle inspector employed;~~
  - ~~(7) Failure to retain inspection station's copy of the safety inspection certificate for a~~

- ~~period of one year after date of inspection;  
or  
(8) Presigning inspector's signature on unused  
certificate of inspection.]~~

"Major infraction" means but is not necessarily  
limited to the following:

- (1) Allowing an uncertified person who is not  
officially in training to assist the  
certified inspector with inspections. A  
trainee must officially register at the  
County PMVI office before assisting an  
inspector during inspections;
- (2) Charging customers excessive inspection  
fees;
- (3) Expired comprehensive public liability  
insurance coverage;
- (4) Failure to cooperate with a County officer  
or State DOT PMVI representative attempting  
to monitor the inspection activities at the  
station;
- (5) Failure to inspect the vehicle as required  
by sections 19-133.2-21, -22, -24, -27  
through -38, -38.5(2), -38.6, -40, -40.5,  
and -40.6;
- (6) Failure to monitor inspectors to ensure they  
are taking proper photographs and inspecting  
in accordance with this chapter and chapter  
19-133.2, HAR. Any inspector suspended for  
more than sixty days is considered a failure  
to monitor by the station;
- (7) Failure to maintain in working order  
required inspection equipment to conduct  
vehicle inspections;
- (8) Failure to properly mark the floor location  
where headlamp aiming is performed;
- (9) Failure to remove and properly dispose of  
expired inspection stickers after removal  
unless driver requests to have new sticker  
placed over the old one;
- (10) Failure to maintain employment of a  
certified vehicle inspector;

- (11) Failure to maintain valid inspection station comprehensive public liability insurance coverage;
- (12) Permitting an unauthorized person to inspect, issue or affix an inspection sticker to a vehicle. Only a certified inspector may affix a sticker to a vehicle, provided a vehicle inspector certifies that the vehicle was inspected and it passed the appropriate requirements of chapter 19-133.2, HAR;
- (13) Unauthorized or improper use of electronic inspection form equipment or software;
- (14) Unauthorized certification of a vehicle that is required to be inspected in the motor carrier program.
- (15) Failure to notify DOT of circumstances that preclude conducting an inspection in accordance with these rules.
- (16) Failure to pay the electronic form contractor by the deadline specified in the contract between the station and the contractor.

~~["Minor infraction" means but is not necessarily limited to the following discrepancies:~~

- ~~(1) Failure to notify DOT of inspector's change in employment status;~~
- ~~(2) Failure to properly complete the certificate of inspection;~~
- ~~(3) Failure to display inspection station permit or inspector certificate in a conspicuous place at the location where the inspections are conducted;~~
- ~~(4) Failure to maintain a safe and clean environment in the inspection area;~~
- ~~(5) Failure to submit monthly inspection report by the deadline date;~~
- ~~(6) Failure to store inspection stickers in a locked and secure location; and~~
- ~~(7) Failure to properly mark the floor location where headlamp aiming is to be performed.]~~

"Minor infraction" means but is not necessarily

limited to the following:

- (1) Failure to display inspection station permit or inspector certificate in a conspicuous place at the location where the inspections are conducted;
- (2) Failure to maintain a safe and clean environment in the inspection area;
- (3) Failure to maintain the minimum required hours of operation of eight hours per day, five days per week between 6:00 A.M. and 6:00 P.M.;
- (4) Failure to notify DOT of change in inspection station address within ten calendar days;
- (5) Failure to notify DOT of change in ownership or management of the inspection station within ten calendar days;
- (6) Failure to notify DOT of inspector's change in employment status within ten days;
- (7) Failure to properly mark all the appropriate inspection items in the electronic inspection form and take required photographs;

~~["Official inspection station" or "inspection station" means a person, partnership, or corporation that is authorized and issued a permit by the DOT to conduct official vehicle inspections.~~

~~"Official vehicle safety inspection" or "inspection" means that safety inspection or vehicle equipment and components including testing of minimum light transmittance of sun screening devices as required by chapter 19-133.2.~~

~~"Safety inspection stickers" or "inspection stickers" means a two-part sticker which is generally affixed upon the right most nearly vertical portion of the rear bumper indicating the month and year of expiration of the current certificate of inspection or the sun screening device inspection sticker affixed to the glazing material in accordance with chapter 19-133.2-34(b)(8).~~

~~"Serious infraction" means but is not necessarily limited to the following discrepancies:~~

- ~~(1) Unauthorized transfer of inspection stickers from one inspection station to another inspection station;~~
- ~~(2) No valid inspection station comprehensive public liability insurance coverage;~~
- ~~(3) Expired comprehensive public liability insurance coverage;~~
- ~~(4) Failure to remove and properly dispose of expired inspection stickers after removal;~~
- ~~(5) Failure to inspect the vehicle as required by chapter 19-133.2; and~~
- ~~(6) Unauthorized issuance of inspection stickers.] [Eff 7/31/89; am and comp ] (Auth: HRS §§286-17, 28) (Imp: HRS §286-28)]~~

## SUBCHAPTER 2

### SUSPENSION AND REVOCATION PROCEDURES

~~[§19-133.5-4 Notice of violation. (a) The department may issue discretionary warning notices by certified mail or hand delivered to the responsible operator of an inspection station or to their certified vehicle inspector for committing any minor infractions pursuant to this chapter. Repeated minor infractions shall be cause for suspension or revocation of a permit or certification. All letters and notices provided for in these rules shall be deemed to have been received three days after they are mailed. The forms for a Notice of Violation letter are located at the end of this chapter and are designated as Notice of Violation — Safety Inspector Certificate Station dated April 7, 1992 and Notice of Violation — Inspection Station Permit dated April 7, 1992.]~~

§19-133.5-4 Notice of infraction and service of notice. (a) The director may issue a notice of infraction for a major or minor infraction defined in this chapter committed by a certified vehicle inspector or observed at an official inspection

station. The director may alternatively issue a discretionary warning notice in place of the notice of infraction for the first infraction only.

(b) The director shall suspend or revoke a station permit or inspector certification for repeated infractions committed by a certified vehicle inspector or observed at an official inspection station.

(c) The notice of infraction or discretionary warning notice shall be delivered by certified mail or in person to the station owner, manager, supervisor, or responsible operator of an inspection station or to any of its certified vehicle inspectors.

(d) Letters and notices provided for in these rules shall be deemed to have been received three business days after they are mailed by certified mail.

(e) The form for a Notice of Infraction is located at the end of this chapter. [Eff 7/31/89; am 3/314/94; am and comp ] (Auth: HRS §§286-17, 28) (Imp: HRS §286-28)

~~[§19-133.5-5 Notice of suspension or revocation; surrender of safety inspection stickers and authorization to continue performing inspections. (a) Suspension and revocation notices shall be sent by certified mail or hand delivered to the responsible operator of an inspection station or the certified vehicle inspector for committing a major pursuant to chapter 19-133.2, HAR or following a second warning notice of a minor infraction.~~

~~(b) Revocation notices shall be sent by certified mail or hand delivered to the responsible operator of an inspection station or the certified vehicle inspector for committing a serious infraction or following a second suspension notice.~~

~~(c) A form of the notice of suspension or revocation is located at the end of this chapter and designated as Notice of Suspension/Revocation dated April 7, 1992.~~

~~(d) Upon receipt of a suspension or revocation order by certified mail or hand delivery, the responsible operator of an inspection station or the~~

~~certified vehicle inspector shall promptly surrender all unused inspection stickers and certificates of inspection in inventory, and the inspection station permit and/or the inspector's certificate to the agency that issued the notice of suspension or revocation. The agency shall record all surrendered items in writing and provide the station operator or inspector with a copy of the record.~~

~~(e) In cases where only the certified vehicle inspector is suspended, the inspector's certificate shall be the only item to be surrendered.~~

~~(f) After the suspension is lifted, items surrendered shall be returned to the inspection station operator or certified vehicle inspector, whichever the case may be and authorization to perform inspection shall be restored.~~

~~(g) Unused certificates of inspection with an inspector's signature shall be confiscated upon discovery by the DOT representative conducting the station inspection. Confiscated materials shall be used as evidence and destroyed upon final disposition of the alleged violation.]~~

§19-133.5-5 Procedures upon receipt of notice of an infraction. (a) Within ten calendar days following the receipt of a notice of an infraction, the station owner, manager, supervisor, responsible operator of an inspection station, certified vehicle inspector, or applicant who was granted the permit for the station must:

- (1) Pay the fine, correct the infraction of chapter 19-133.2, HAR that resulted in the notice of infraction, and provide verification to the department; or
- (2) Petition the department for a hearing to challenge the notice of infraction.

(b) If payment and verification or a petition under paragraph (a) is not received by the department within ten calendar days following a receipt of a notice of an infraction, the department may immediately reinspect the station and issue a new notice of infraction if the infraction remains, or if a certified vehicle inspector is fined, prohibit the

inspector from inspecting vehicles until payment or an arrangement for installment payments is made.

(c) If a petition for a hearing is made within ten days, the station or inspector shall be permitted to operate pending the outcome of the hearing.

Information contained in the electronic inspection form repository may be used as evidence of an alleged infraction. [Eff 7/31/92; am 3/31/94; am and comp ] (Auth: HRS §§286-17, 28) (Imp: HRS §286-28)

~~[§19-133.5-6 Length of suspension or revocation of inspectors. The length of suspension or revocation shall be based on, but not limited to, the following schedule:~~

- ~~(1) Two minor infractions during a six month period will be cause for a minimum of a thirty-day suspension;~~
- ~~(2) One major infraction will be cause for a thirty day suspension;~~
- ~~(3) Three minor infractions during a six month period will be cause for a sixty day suspension;~~
- ~~(4) Two major infractions during a twelve month period will be cause for a ninety day suspension;~~
- ~~(5) Four minor infractions during a six month period will be cause for a ninety day suspension;~~
- ~~(6) Three major infractions during a two year period will be cause for a one hundred eighty day suspension;~~
- ~~(7) One serious infraction one [year] month suspension;~~
- ~~(8) Two or more serious infractions will be cause for revocation.~~

~~An indefinite suspension may be imposed for failure to comply with a specific requirement. The suspension shall be lifted if the Department determines that the specific requirement has been satisfied and complied with. [Eff 7/31/89; am~~

~~3/31/94] (Auth: HRS §§286-17, 28) (Imp: HRS §286-28)]~~

§19-133.5-6 Amount of fine and length of suspension or revocation of inspectors and stations.

(a) The fine, length of an inspector suspension, or revocation shall be based on, but not limited to, the following schedule:

**Inspector Minor Infraction Penalties**

<u>Number of Infractions</u>	<u>Period</u>	<u>Fine Amt</u>	<u>Suspension</u>	<u>Revocation</u>
<u>1</u>	<u>6-Months</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>2</u>	<u>6-Months</u>	<u>\$50</u>	<u>0</u>	<u>0</u>
<u>3</u>	<u>9-Months</u>	<u>\$75</u>	<u>0</u>	<u>0</u>
<u>4 or more</u>	<u>12-Months</u>	<u>\$100</u>	<u>0</u>	<u>0</u>

**Inspector Major Infraction Penalties**

<u>Number of Infractions</u>	<u>Period</u>	<u>Fine Amt</u>	<u>Suspension</u>	<u>Revocation</u>
<u>1</u>	<u>1-Year</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>2</u>	<u>1-Year</u>	<u>\$50</u>	<u>0</u>	<u>0</u>
<u>3</u>	<u>2-Years</u>	<u>%75</u>	<u>0</u>	<u>0</u>
<u>4</u>	<u>3-Years</u>	<u>\$100</u>	<u>0</u>	<u>0</u>
<u>5</u>	<u>4-Years</u>	<u>0</u>	<u>1-Year</u>	<u>0</u>
<u>6</u>	<u>5-Years</u>	<u>0</u>	<u>0</u>	<u>Revocation</u>

(b) The station fine, length of suspension, or revocation shall be based on, but not limited to, the following schedule:

**Station Minor Infraction Penalties**

<u>Number of Infractions</u>	<u>Period</u>	<u>Fine Amt</u>	<u>Suspension</u>	<u>Revocation</u>
<u>1</u>	<u>6-Months</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>2</u>	<u>1-Year</u>	<u>\$100</u>	<u>0</u>	<u>0</u>
<u>3</u>	<u>1-Year</u>	<u>\$250</u>	<u>0</u>	<u>0</u>
<u>4</u>	<u>2-Year</u>	<u>\$500</u>	<u>0</u>	<u>0</u>
<u>5</u>	<u>3-Year</u>	<u>\$750</u>	<u>0</u>	<u>0</u>
<u>6</u>	<u>4-Year</u>	<u>\$1000</u>	<u>0</u>	<u>0</u>
<u>7</u>	<u>5-Year</u>	<u>0</u>	<u>1-Year</u>	<u>0</u>
<u>8</u>	<u>7-Year</u>	<u>0</u>	<u>0</u>	<u>Revocation</u>

**Station Major Infraction Penalties**

<u>Number of Infractions</u>	<u>Period</u>	<u>Fine Amt</u>	<u>Suspension</u>	<u>Revocation</u>
<u>1</u>	<u>3-Year</u>	<u>\$500</u>	<u>0</u>	<u>0</u>
<u>2</u>	<u>4-Year</u>	<u>\$750</u>	<u>0</u>	<u>0</u>
<u>3</u>	<u>5-Years</u>	<u>\$1000</u>	<u>0</u>	<u>0</u>
<u>4</u>	<u>6-Years</u>	<u>0</u>	<u>1-Year</u>	<u>0</u>
<u>5</u>	<u>8-Years</u>	<u>0</u>	<u>0</u>	<u>Revocation</u>

(c) The period in which infractions are issued shall begin on the date of the first infraction and continue for the number of years indicated in the second column. [Eff 7/31/89; am 3/31/94; am and comp ] (Auth: HRS §§286-17, 28) (Imp: HRS §286-28)

~~§19-133.5-7 Petition for hearing. (a) Any operator of an inspection station or certified vehicle inspector can request a hearing by filing a petition for hearing to the director within ten days after the receipt of the notice of suspension or revocation. The form for the petition for hearing is located at the end of this chapter and designated as Petition for Hearing dated April 7, 1992.~~

~~(b) The director may reject any petition which is not properly completed. [Eff 7/31/89; am 3/31/94] (Auth: HRS §§286-17, 28) (Imp: HRS §286-28)]~~

§19-133.5-7 Petition for hearing. (a) A station owner, manager, supervisor, or responsible operator of an inspection station, or any of its certified vehicle inspectors who seeks to challenge the allegations in a notice of infraction received may petition the department for a hearing. The petition must be received by the department within 10 calendar days of the receipt of the notice of infraction. A form for the petition for hearing is located at the end of this chapter.

(b) The director shall reject a petition that is untimely or fails to provide a basis to challenge the notice of infraction, including a description of the facts supporting the basis of the challenge.

(c) The director may reject a petition that is incomplete or illegible. [Eff 7/31/89; am 3/31/94; am and comp ] (Auth: HRS §§286-27, 28) (Imp: HRS §286-28)

§19-133.5-8 Notice of intent to hold hearing and notice of hearing. (a) The director shall notify the petitioner of the intent to hold a hearing within [~~fourteen~~] twenty-one calendar days after receiving the petition for hearing from the petitioner. The form [~~of the~~] for a notice [~~for hearing~~] of intent to hold a hearing [~~to notify~~] for the petitioner is located at the end of this chapter and designated as Notice of Intent to Hold Hearing [~~dated April 7, 1992~~].

(b) When the hearing is scheduled, the director shall send the petitioner a notice of hearing. The form for a notice to hold a hearing for the petitioner is located at the end of this chapter and designated as Notice to Hold Hearing. [Eff 7/31/89; am 3/31/94; am and comp ] (Auth: HRS §§286-17, 28) (Imp: HRS §286-28)

§19-133.5-9 [~~Hearings~~] Hearing officer. (a) The director shall appoint a [~~hearings~~] hearing officer for the [~~each county~~] hearing.

(b) The [~~hearings officers~~] hearing officer shall serve without compensation except for incidental expenses as deemed necessary.

(c) The [~~hearings~~] hearing officer shall hear ~~all the~~ petitions submitted by the station operators or inspectors [~~from their respective counties~~] and accepted by the director. The hearing may be conducted by video conference call or other similar means. [Eff 7/31/89; am 3/31/94; am and comp ] (Auth: HRS §§286-17, 28) (Imp: HRS §286-28)

§19-133.5-10 Duties of the [hearings] hearing officer. (a) The appointed [hearings] hearing officer shall conduct the [hearings within their respective counties] hearing as required by the director.

(b) The [hearings] hearing officer shall review all relevant evidence presented, including verbal and written arguments, investigative reports, and other pertinent information and testimony regarding gathered relevant to the notice of infraction. ~~fine, suspension or revocation.~~

(c) ~~[The hearings]~~ After the hearing, the hearing officer shall make a written report of the [hearings] officer's findings and conclusions upon which an order affirming, denying, modifying, or reversing the action proposed to be taken against the petitioner shall be issued and provide the written report to the director. [Eff 7/31/89; am 3/31/94; am and comp ] (Auth: HRS §§286-17, 28) (Imp: HRS §286-28)

§19-133.5-11 Disposition of petition. The director shall issue a decision and order based on the written report of the [hearings] hearing officer ~~[shall either]~~ and shall affirm, deny, modify or reverse the proposed fine, suspension, or revocation. ~~[of the certification of the inspector or permit of the inspection station by preparing findings of fact and conclusions of law, upon which a decision and order may be issued by the director.]~~ [Eff 7/31/89; am 3/31/94; am and comp ] (Auth: HRS §§286-17, 28) (Imp: HRS §286-28)

§19-133.5-12 Appeal to circuit court. Any order issued pursuant to the authority granted by chapter 91, HRS, and these rules of procedures shall be subject to appeal to the circuit court. [Eff 7/31/89; comp ] (Auth: HRS §91-14) (Imp: HRS §91-14)

SUBCHAPTER 4

SEVERABILITY AND EFFECTIVE DATE

§19-133.5-13 Severability. If any portion of this chapter is held invalid for any reason, the invalidity shall not affect the validity of the remainder of the chapter. [Eff 7/31/89; comp ] (Auth: HRS §91-14) (Imp: HRS §91-14)

§19-133.5-14 Effective date. This chapter shall take effect ten days after it is filed with the lieutenant governor." [Eff 7/31/89; comp ] (Auth: HRS §§286-17, 18) (Imp: HRS §286-28)

2. Material, except source notes, to be repealed is struck thru and bracketed. New material is underscored.

3. Additions to update source notes to reflect these amendments and compilation are not underscored.

4. These amendments to and compilation of chapter 19-133.5, Hawaii Administrative Rules, shall take effect ten days after filing with the Office of the Lieutenant Governor.

I certify that the foregoing are copies of the rules, drafted in the Ramseyer format pursuant to the requirements of section 91-4.1, Hawaii Revised Statutes, which were adopted on \_\_\_\_\_ and filed with the Office of the Lieutenant Governor.

\_\_\_\_\_  
Jade T. Butay  
Director of Transportation

APPROVED AS TO FORM:

\_\_\_\_\_  
Deputy Attorney General

STATE OF HAWAII  
DEPARTMENT OF TRANSPORTATION  
MOTOR VEHICLE SAFETY OFFICE

DISCRETIONARY WARNING NOTICE

Dear

Uniform standards and procedures governing periodic motor vehicle inspections are provided in §19-133.2, and 19-135, Hawaii Administrative Rules.

Based upon an investigation on \_\_\_\_\_ of the inspection station (station number \_\_\_\_\_) located at \_\_\_\_\_ and inspector (number \_\_\_\_\_), the following station infractions were committed:

*[List specific infractions, references to rules, ordinances or laws and dates. Provide written explanations to ensure that each specific infraction is clearly understood by the reader. Use pictures and additional pages as needed.]*

This letter serves as a Discretionary Warning Notice of the above infraction(s) and that repeated infractions are cause for suspension or revocation of the inspector's certificate or the inspection station permit.

\_\_\_\_\_  
D.O.T. Representative or Agent

Date: \_\_\_\_\_

STATE OF HAWAII  
DEPARTMENT OF TRANSPORTATION  
MOTOR VEHICLE SAFETY OFFICE

NOTICE OF INFRACTION

Dear \_\_\_\_\_;

Station Infraction	Inspector Infraction
The Official Inspection Station having Station Number _____:  <input type="checkbox"/> is fined \$ _____.00, <input type="checkbox"/> it's permit is suspended for _____ (months/years), or <input type="checkbox"/> it's permit is revoked.	The Certified Vehicle Inspector, employed at Inspector Number _____:  <input type="checkbox"/> is fined \$ _____.00, <input type="checkbox"/> his/her certification is suspended for _____ (months/years), or <input type="checkbox"/> his/her certification is revoked.

The above action is based on the following infraction(s):

Date	Infraction Description	Rule reference

*NOTE: List specific date, infraction description, and provision of the HAR violated. Provide written explanations to ensure that each specific infraction is clearly understood by the reader. Pictures and additional pages may be included as needed.*

Within ten calendar days following the receipt of this notice, the recipient must: (1) pay the fine, correct the infraction, and provide verification to the department; or (2) petition the department for a hearing to challenge the notice of infraction.

\_\_\_\_\_  
D.O.T. Representative or Agent  
(Print name and sign)

\_\_\_\_\_  
Date

APPROVED: \_\_\_\_\_  
(Print name and sign)

STATE OF HAWAII  
DEPARTMENT OF TRANSPORTATION  
MOTOR VEHICLE SAFETY OFFICE

PETITION FOR HEARING

TO: DIRECTOR OF TRANSPORTATION  
DEPARTMENT OF TRANSPORTATION  
869 PUNCHBOWL STREET  
HONOLULU, HI 96813-5035

1. I, \_\_\_\_\_  
(Print Full Name and certificate #)  
of \_\_\_\_\_  
(Print Mailing Address and station #)

whose telephone number is \_\_\_\_\_,  
and whose place of employment is \_\_\_\_\_

\_\_\_\_\_  
(Name, Address, County, Station Number)

do hereby petition (within ten calendar days of being notified of infraction) for a hearing on the following infractions (designate each infraction you deny and explain why you deny it. Use additional pages as needed.):

2. The following are reasons why I am requesting a hearing. (Be specific and provide facts that support your position. Use additional pages, as needed).

\_\_\_\_\_  
(Petitioner's Signature)

\_\_\_\_\_  
(Date)

STATE OF HAWAII  
DEPARTMENT OF TRANSPORTATION  
MOTOR VEHICLE SAFETY OFFICE

NOTICE OF INTENT TO HOLD HEARING

Docket No. MVS0 - \_\_\_\_\_

Date: \_\_\_\_\_

Dear

Re: In the Matter of Inspection Station or  
Safety Inspector \_\_\_\_\_  
[provide inspector or station name and number]

Petition for Hearing on the Notice of infraction dated  
\_\_\_\_\_.

Pursuant to your Petition for Hearing dated  
\_\_\_\_\_, postmarked \_\_\_\_\_, and  
filed at the Department of Transportation on  
\_\_\_\_\_, please be informed that  
the HDOT intends to hold a hearing on this matter.  
You will be notified of the date, location and time of  
the hearing, after all arrangements for the hearing  
are made.

The topic of this hearing will be the attached  
notice of infraction.

Yours truly,

\_\_\_\_\_  
Director of Transportation

STATE OF HAWAII  
DEPARTMENT OF TRANSPORTATION  
MOTOR VEHICLE SAFETY OFFICE

Notice of Hearing

Docket No. MVS0 - \_\_\_\_\_

Date: \_\_\_\_\_

Dear

Re: [provide inspector name and number]

Pursuant to your Petition for Hearing dated \_\_\_\_\_, postmarked \_\_\_\_\_, and filed at the Department of Transportation on \_\_\_\_\_, please be informed that a contested hearing will be held on the following date, time and place:

Date: \_\_\_\_\_  
Time: \_\_\_\_\_  
Place: \_\_\_\_\_  
\_\_\_\_\_

This hearing shall be conducted in accordance to Chapters 19-1 and 19-133.5, Hawaii Administrative Rules, and Chapter 91, Hawaii Revised Statutes. You will be afforded the opportunity to present evidence and arguments on all issues involved to a hearings officer who will make a written report of findings and conclusions upon which the Director of Transportation may affirm, modify, or reverse the action taken against you.

For the Director of Transportation

By: \_\_\_\_\_

Date: \_\_\_\_\_