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### **Changes to 19-133.2, HAR – 2020**

§19-133.2-1 Added a definition for “autocycle” and changed the reference for the motorcycle definition from 291C-1 to 286-2, HRS. The latter is a more recent and detailed definition. It also includes autocycles. Made a similar reference change for four other definitions.

§19-133.2-1 Also added a definition for “bumper”, “certificate of inspection”, “illegal modification”, "Periodic Motor Vehicle Inspections", "Responsible operator", "Safety inspection sticker".

§19-133.2-4(b) Repositioned and renumbered to paragraph (3) to paragraph (4) for a more logical progression of listed responsibilities. In the renumbered paragraph (4) added “fining” stations and inspectors in addition to suspending and revoking to both stations and inspectors. Fines for infractions are required by Act 73, SLH 2018.

§19-133.2-8(b) Clarified that eight hours is a minimum. Stations may be open more than the minimum.

§19-133.2-8(d)(1)(D) Inserted the word “level”. Also removed (E), because it is not needed with the word “level” added above.

§19-133.2-8 (e)(1) Added the SAE reference used by DOT to approve units.

§19-133.2-8(e)(2) Added “and test wheel bearings” as further need for a jack.

§19-133.2-9(c) removed a comma.

§19-133.2-11(b)(4) Added email address to facilitate communication.

§19-133.2-14(a)(4) Clarified that only vehicles used for doing business and by employees who park at the station need to comply with this paragraph. Vehicles stored at the station do not. Vehicles owned by inspectors but not parked at the station are not a concern either. Our concern is the appearance of the station when a customer enters it. An inspector or station with a noncompliant vehicle sends a subtle message that the inspection rules are of little concern to the people at the station.

§19-133.2-14(a) (5) Added a new paragraph to emphasize that officers must have unrestricted access to stations for the purpose of enforcing activities of the program.

§19-133.2-14(c) For public stations changed permissive signage to mandatory signage. These stations need a sign so the public will know that they are inspection stations.

§19-133.2-14(e) Added this subsection to clarify the required content of certain pictures taken of the inspected vehicles.

§19-133.2-15(a) Added “or supervises” to persons authorized to sign an inspection certificate. This is to accommodate stations that use more than one certified inspector to inspect a single vehicle.

§19-133.2-17 Added fines to penalties for stations and inspectors that do not comply with the rules. Act 73, SLH 2018 introduced fines to the program.

§19-133.2-18(3) Set a 30-day time limit for a trainee to assist an inspector. This will make it more difficult for inspectors to use uncertified people to assist them. Being trained as an inspector is not a way of gaining experience doing inspections. It is to help the trainee pass the practical test to become an inspector. If it is done correctly, it will cost the station time, because the inspector is giving instructions and then checking the work of the trainee. Some stations get around the cost by letting the trainee inspect and the inspector run the iPad, or have the trainee inspect one side of the vehicle and the inspector the other without the inspector checking the trainee’s work. The inspector is supposed to inspect the whole car before signing off on it, unless he or she has a certified inspector assisting.

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§19-133.2-18(5) Clarifies which cars are required to comply with the rules. Our only concern is the appearance of the station as motorists drives into it or past it.

§19-133.2-20(a) Removing the 15-day requirement hopefully will hopefully improve the system for making appointments. Some stations try to do all inspections by appointment. If your business involves more than doing inspections, using only appointments allows you to organize your work better. Some vehicle owners like to schedule their inspection months in advance.

§19-133.2-22(e)(3) Removed an inappropriate word “and”.

§19-133.2-22(e)(5) The added words correct an accidental omission the last time the rules were amended.

§19-133.2-25.5 Clarified that a new vehicle does not need to be inspected until after a two-year period from the date that it was first sold.

§19-133.2-26 A statement is added to allow vehicles returning after fixing a defect or vehicles too large for the bay to be inspected outside of the bay. This is intended to improve efficiency and service to customers.

§19-133.2-27(a) Added a requirement for the body type of the vehicle to match the body type indicated on the vehicle registration document and the proof of insurance. This helps to ensure that the description continues to be accurate when vehicle modifications are made. Also added a requirement to photograph all documents relating to registration and insurance.

§19-133.2-27(b)(1) Added a registration/proof of insurance matching exception for fleet vehicles, because fleet insurance proof does not have sufficient detail for this.

§19-133.2-27(b)(4) This paragraph was amended to agree with Hawaii Revised Statutes.

§19-133.2-27(b) (5) Added a new paragraph requiring the vehicle description of the registration to match that of the insurance card.

§19-133.2-28(b)(2) Clarified how far to turn the steering component.

§19-133.2-28(b)(5) Added the word “visibly”, so inspectors are not required to take measurements.

§19-133.2-29(b)(1) Added the minimum tread depth for motorcycle tires.

§19-133.2-29(b)(2) Removed the word “small” to describe degradation cracks. The cracks are often large too.

§19-133.2-30(b)(3) Added the word “or” to indicate the final paragraph.

§19-133.2-30.5(3) Added exclusion for auto stop/start technology in newer vehicles.

§19-133.2-31(b)(5) Added a check for electric parking brakes.

§19-133.2-32(b)(4) Added exclusion for DOT headlamp marking for vehicles 25 years old or older, provided the lamps are equal to or the same as the originals and can be aimed for driving on the right side of the road.

§19-133.2-32(b)(7) Added a new paragraph with restrictions that a red light on a vehicle must not be visible from the front of the vehicle, and that blue lights may be visible only on emergency vehicles.

§19-133.2-33 (3) Added noise maker restrictions except on emergency vehicles.

§19-133.2-34(a)(3) Added a requirement for inspectors to photograph, record and retain all window tint meter readings as comments in the iPad.

§19-133.2-34(a)(5) Reiterated that inspection pictures must be taken with windows closed, unless inoperative and noted to be so.

§19-133.2-34(b)(2)(A) Removed the FMVSS date and inserted “as appropriate for the vehicle date of manufacture.”

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An amendment to §19-133.2-34(b)(9)(B) removes the reference to a fee for doing a window tint test. This reference was erroneously left in the rules during an amendment in 2017.

§19-133.2-35(a)(4) Added bumper heights for vehicles with a GVWR of 4,500 and under, 4,501 – 7,500, and 7,501 – 10,000 pounds.

§19-133.2-38(a), removed mph speedometer requirement for vehicles at least 25 years old.

§19-133.2-38.5 Added a note that the HRS prevails should there be a conflict between this chapter and the HRS.

§19-133.2-38.5(2) Deleted paragraph 2 and added subparagraph (I) to paragraph (1). A new paragraph (2) is added to accommodate the inspection of special interest vehicles that are not a street rod or street rod replica.

§19-133.2-38.6 (a) Added statement that autocycles must be inspected using appropriate criteria for both motorcycle and car inspections. Also, added subsection (b) that outlines the inspection process for autocycles.

§19-133.2-39 Changed date of FMVSS from October 1, 2008 to “the date the vehicle was manufactured”. Also added a note that uncertified imported vehicles that are at least 25 years old do not need to comply with Federal Motor Vehicle Safety Standards.

§19-133.2-40.5(1) Changed a period to a semicolon for consistency.

§19-133.2-40.6 Changed title by adding the word “uncertified” between “of” and “imported.” Also deleted in the first sentence “which include imported vehicles that are at least 25 years old,” because wording is not needed.

Exhibit A: Updated table.