

2018 -- H 8136

LC005544

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2018

A N A C T

RELATING TO MOTOR AND OTHER VEHICLES -- INSPECTION OF MOTOR VEHICLES

Introduced By: Representatives Canario, Shanley, Newberry, Coughlin, and Corvese

Date Introduced: April 27, 2018

Referred To: House Corporations

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 31-38-4 of the General Laws in Chapter 31-38 entitled "Inspection
2 of Motor Vehicles" is hereby amended to read as follows:

3 **31-38-4. Director of department of revenue to require periodic inspection.**

4 (a) (1) The director of revenue shall at least once each year, but not more frequently than
5 twice each year, or on the schedule defined pursuant to chapter 47.1 of this title require that every
6 vehicle, trailer, semitrailer, and pole trailer registered in this state or upon a retail seller's premise,
7 be inspected and that an official certificate of inspection and approval be obtained for the vehicle,
8 provided, that the director of revenue shall require the first inspection of any new motor vehicle
9 within two (2) years from the date of purchase or before the vehicle accumulates twenty-four
10 thousand (24,000) miles whichever occurs first. Any non-commercial vehicle with a gross vehicle
11 weight of less than eleven thousand eight hundred pounds (11,800 lbs.) shall be issued a two (2)
12 year certificate of inspection.

13 (2) The inspections shall be made and the certificates obtained with respect to the
14 mechanism, brakes, and equipment of the vehicle as shall be designated by the director of
15 department of revenue.

16 (3) The director of the department of revenue is authorized to make necessary rules and
17 regulations for the administration and enforcement of this chapter including, but not limited to,
18 upgraded standards of operation and standards for mechanical testing equipment, and to designate
19 any period or periods of time during which sellers at retail and owners of any vehicles, subject to

1 this chapter, shall display upon the vehicles certificates of inspection and approval, or shall
2 produce these certificates upon demand of any proper officer or employee of the department of
3 revenue designated by the director of the department of revenue. In addition, the director shall
4 require each inspection facility to file a copy of their active garage keeper's legal liability
5 insurance policy and maintain a minimum of twenty-five thousand dollars (\$25,000) liability
6 coverage. Said coverage shall be purchased for the purpose of insuring against any damage
7 sustained to a vehicle while under the control of the inspection facility.

8 (b) The director of the department of revenue may authorize the acceptance in this state
9 of a certificate of inspection and approval issued in another state having an inspection law similar
10 to this chapter, and may extend the time within which a certificate shall be obtained.

11 (c) The director of the department of revenue, or the director's designee, may suspend the
12 registration of any vehicle which he or she determines is in such unsafe condition as to constitute
13 a menace to safety, or which, after notice and demand, is not equipped as required in this chapter
14 or for which a required certificate of inspection and approval has not been obtained.

15 (d) The director of the department of revenue shall provide for a staggered inspection
16 system by regulations.

17 (e) Violations of this section are subject to fines enumerated in § 31-41.1-4.

18 SECTION 2. Section 31-47.1-3 of the General Laws in Chapter 31-47.1 entitled "Motor
19 Vehicle Emissions Inspection Program" is hereby amended to read as follows:

20 **31-47.1-3. Inspection requirement.**

21 (a) Each motor vehicle subject to the provisions of this chapter shall be subject to a motor
22 vehicle emissions inspection, conducted no more frequently than annually. Different classes of
23 motor vehicles or model years may be subject to different inspection frequencies; provided, that
24 any non-commercial vehicle with a gross vehicle weight of less than eleven thousand eight
25 hundred pounds (11,800 lbs.) shall be issued a two (2) year certificate of inspection.

26 (b) Motor vehicles subject to this chapter shall be determined by regulations, and shall
27 include, but not necessarily be limited to, all 1975 and later model year light duty vehicles and
28 light duty trucks up to and including eight thousand five hundred pounds (8,500 lbs.) gross
29 vehicle weight rating.

30 (c) Any motor vehicle which is inspected and found not to comply with the standards and
31 criteria for motor vehicle emissions inspections must, within thirty (30) days of the inspection, be
32 re-inspected and found to comply with the standards and criteria for motor vehicle emissions
33 inspections, or have received a waiver certificate, or not be operated on the highways of the state.

34 (d) Any certificate issued under this chapter shall always be carried in an easily

1 accessible place in or about the vehicle for which the certificate was issued.

2 SECTION 3. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
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1 This act would provide for a two year certificate of inspection for any non-commercial
2 vehicle with a gross vehicle weight of less than eleven thousand eight hundred pounds (11,800
3 lbs.).

4 This act would take effect upon passage.

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