

2020 -- S 2489

LC004502

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2020

A N A C T

RELATING TO MOTOR AND OTHER VEHICLES -- INSPECTION FREQUENCY

Introduced By: Senator Elaine J. Morgan

Date Introduced: February 13, 2020

Referred To: Senate Special Legislation and Veterans Affairs

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~~ require, no more than once ~~each year, but not~~
5 ~~more frequently than twice each year, or on the schedule defined pursuant to chapter 47.1 of this~~
6 ~~title~~ every two (2) years, at the same time that emissions inspections are required to be performed
7 by § 31-47.1-3, require that every vehicle, trailer, semitrailer, and pole trailer registered in this
8 state or upon a retail seller's premise, be inspected and that an official certificate of inspection and
9 approval be obtained for the vehicle, ~~provided, that the director of revenue shall require the first~~
10 ~~inspection of any new motor vehicle within two (2) years from the date of purchase or before the~~
11 ~~vehicle accumulates twenty four thousand (24,000) miles whichever occurs first.~~

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

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

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

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

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

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

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

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

19 **31-47.1-3. Inspection requirement.**

20 (a) Each motor vehicle subject to the provisions of this chapter shall be subject to a motor
21 vehicle emissions inspection, ~~conducted no more frequently than annually~~ to be performed no
22 more than once every two (2) years, at the same time general inspection required by § 31-38-4 is
23 performed. Different classes of motor vehicles or model years may be subject to different
24 inspection frequencies.

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

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

33 (d) Any certificate issued under this chapter shall always be carried in an easily
34 accessible place in or about the vehicle for which the certificate was issued.

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

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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- 1 This act would change the frequency of motor vehicle inspections from yearly to every
- 2 two (2) years to be conducted at the same time their emissions inspection is to be performed.
- 3 This act would take effect upon passage.

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