

MOTOR VEHICLE REPAIR INDUSTRY BOARD
Professional and Vocational Licensing Division
Department of Commerce and Consumer Affairs
State of Hawaii

MINUTES OF MEETING

The agenda for this meeting was filed with the Office of the Lieutenant Governor, as required by section 92-7(b), Hawaii Revised Statutes ("HRS").

Date: Wednesday, July 20, 2011

Time: 9:30 a.m.

Place: Queen Liliuokalani Conference Room
King Kalakaua Building, 1st Floor
335 Merchant Street
Honolulu, Hawaii 96813

Present: Steven J.T. Chow, Esq. Public Member
Warren Higa, Industry Member
Alan Nakamura, Industry Member
Roy Sasuga, Public Member
Christine Rutkowski, Executive Officer
Rodney J. Tam, Deputy Attorney General
Alice Worthy, Secretary

Excused: Swee Berkey, Public Member

Absent: James Hirakawa, Industry Member
Benjamin Waiolama, Public Member

Guests: John Daniel Kenn, Applicant

Call to Order: With the presence of quorum, and in the absence of a Chairperson and Vice-Chairperson, Executive Officer Christine Rutkowski called the meeting to order at 9:32 a.m.

Election of Officers: The Executive Officer asked if there were any volunteers for the position of Chairperson. Having none, the Executive Officer opened the floor for nominations for chairperson. Upon a motion by Mr. Sasuga, seconded by Mr. Nakamura, it was unanimously carried to nominate Mr. Chow to serve as the Board's chairperson. Mr. Chow accepted the position of chairperson.

Chairperson Chow asked for volunteers for the position of vice-chairperson. Having none, Chairperson Chow opened the floor for nominations for vice-chairperson. Upon a motion by Mr. Nakamura, seconded by Mr. Higa, it was unanimously carried to nominate Mr. Sasuga to serve as the Board's vice-chairperson. Mr. Sasuga accepted the position of vice-chairperson.

Welcome New
Board Members:

Chairperson Chow welcomed new members Alan Nakamura and Warren Higa, and asked each of them to give a brief summary of their backgrounds. Mr. Nakamura stated that he is a licensed mechanic and has been in the industry for over 25 years. He was a Shell Oil dealer for 30 years and is now with Kaimuki Auto Repair. Mr. Higa said that he was a Shell Oil dealer for many, many years and now he is affiliated with Chevron Manoa. Chairperson Chow introduced the staff. He, as well as Mr. Sasuga, provided background information on themselves.

Both the Chairperson and Executive Officer answered questions from Mr. Nakamura and Mr. Higa regarding the Board and its function.

Agenda Additions/
Revisions:

None.

Minutes of Previous
Meeting:

Minutes of the May 18, 2011 Meeting

It was moved by Mr. Sasuga, seconded by Mr. Higa, and unanimously carried to approve the minutes as circulated.

Chair's Report:

None.

Executive Officer's
Report:

Office of Information Practices – Open Line, February 2011

The Executive Officer gave a brief explanation on OIP and summarized the publication for the new members.

Chairperson Chow provided copies of informational materials he printed from the OIP website that was shared with all members.

Hawaii State Ethics Commission – The High Road, April, 2011

The Executive Officer gave a brief explanation on the Ethics Commission and summarized the publication for the new members.

Other

The Executive Officer reported that June 30th was the deadline for license renewals; that everyone should have gotten their pocket cards by now. For those licensees who did not renew by June 30th, their licenses are forfeited effective July 1, 2011.

Renewal stats are as follows:

Salvage Dealers: 100% renewed

Repair Dealers: 70% renewed; about 100 in holding pattern –
mechanics did not renew

Certified Mechanics (ASE or motorcycle): 71% renewed

Registered Mechanics (grandfathered) – approx. 85% renewed

The Executive Officer informed the members that, effective August 2011, meeting minutes will be posted on the Board's website. Members were asked if they wished to continue to receive copies of the minutes. By consensus, members agreed that the current process of having the minutes mailed with their meeting packets should be continued.

Chapter 91, HRS,
Adjudicatory
Matters:

The Chairperson called for a recess from the meeting at 10:00 a.m. to deliberate on the following adjudicatory matter, pursuant to Hawaii Revised Statutes ("HRS") Chapter 91.

In the Matter of the Motor Vehicle Repair Dealer's License of 770 KINOOLE AUTO CARE, INC., and In the Matter of the Motor Vehicle Mechanic's License of RALPH E. FUJIYAMA, Respondents; ARP 2006-74-L; ARP 2007-22-L; ARP 2007-41-L; ARP 2007-86-L; and ARP 2008-64-L – Affidavit of Bobbi W.Y. Lum-Mew

Deputy Attorney General Tam briefly summarized the above matter and a discussion followed.

After discussion, it was moved by Mr. Sasuga, seconded by Mr. Nakamura, and unanimously carried to accept the Affidavit of Bobbi W.Y. Lum-Mew and to suspend the motor vehicle dealer's license of Kinoole Auto Care, Inc. for one (1) year and to suspend the motor vehicle mechanic's license of Ralph E. Fujiyama for one (1) year. It was further moved by Mr. Sasuga, seconded by Mr. Nakamura and unanimously carried to delegate to the Executive Officer the authority to issue a Board's Final Order on the Board's behalf.

At 10:37 a.m., the Chairperson announced that the Board would return to its regular order of business.

At 10:37 a.m., it was moved by Chairperson Chow, seconded by Mr. Sasuga, and unanimously carried to enter into Executive Session to consider and evaluate personal information relating to the individual applying for licensure in accordance with Chapter 92-5(a) (1), and to consult with the Board's attorney on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities in accordance with Chapter 92-5(a) (4), Hawaii Revised Statutes.

EXECUTIVE SESSION

John Daniel Kenn – Motor Vehicle Mechanic

Mr. Kenn appeared before the Board during Executive Session.

At 11:14 a.m., it was moved by Mr. Sasuga, seconded by Mr. Nakamura, and unanimously carried to return to the Board's regular order of business.

Licensing: Applications

John Daniel Kenn

The Board informed Mr. Kenn that the conditional license that the Board agreed to issue him cannot be issued at this time because his employer is not licensed as a motor vehicle repair dealer. The Chair informed Mr. Kenn that until his employer becomes licensed as a motor vehicle repair dealer (RD) with an individual other than him (Kenn) as the RD's head mechanic, a mechanic's license will not be issued to him (Kenn).

After much discussion, it was moved by Mr. Sasuga, seconded by Mr. Higa, and unanimously carried to issue Mr. Kenn a written notice that explains the terms under which a motor vehicle mechanic license can be issued to him.

Ratification

The Board members reviewed the ratification lists for motor vehicle repair dealer and motor vehicle mechanic licenses. Upon a motion by Mr. Sasuga, seconded by Mr. Higa, it was unanimously carried to ratify the lists (attached).

New Business: None.

Unfinished
Business: None.

HCC, Other
Organizations: None.

The Executive Officer reported that she had been informed by email that HCC voluntarily quit at the end of the fiscal year, June 30, 2011. The Executive Officer stated that according to the UH contracts specialists, the Board would have to locate another college, school or entity to carry out the duties for the motor vehicle certification program.

The Chair asked whether any accounting was provided to the Board during this fiscal year. The Chair further stated that there is concern over how the funding was used. Board members also expressed concern over HCC's failure to attend any Board meetings this fiscal year and HCC's failure to provide any reports to the Board. The Board directed the Executive Officer to contact UH regarding the status of the account and the monies spent/refund due.

Board members engaged in a brief and general discussion about how to proceed with the motor vehicle certification program, henceforth. There was discussion that although HCC held refresher classes for the

technicians to take so that they could get ready for the certification and recertification tests, the classes were not widely attended. There was also discussion that it is possible that most of the technicians prepare for the tests through other means, for example through the ASE study guides and online sample tests.

Board members agreed that this matter deserved more discussion that should be held during the next meeting.

Correspondence: None.

Next Meeting: Wednesday, September 14, 2011
9:30 a.m.
Queen Liliuokalani Conference Room
King Kalakaua Building, 1st Floor
Honolulu, Hawaii 96813


Adjournment: The meeting adjourned at 11:38 a.m.

Taken and recorded by:



Alice Worthy, Secretary

Reviewed and approved by:



Christine Rutkowski
Executive Officer

CR:aw
8/18/11

☒ Minutes approved as is.
☐ Minutes approved with changes; see minutes of _____.

LTYPE LIC NUM BP NAME PART 1

Motor Vehicle Repair Dealer's License

RD	4148	FASTLUBE INC
RD	4149	HADAMA SERVICE INC
RD	4150	EXHAUST WORKS LLC
RD	4151	ROGELIO <JARALBA<
RD	4152	R OTANI CONTRACTOR INC
RD	4153	ONE STOP AUTO CENTER CORP
RD	4154	HA'S AUTO REPAIR LLC
RD	4155	THE <GOODYEAR< TIRE & RUBBER COMPANY

LTYPE LIC NUM BP NAME PART 1

Motor Vehicle Mechanic's License

MC	8422	CALVIN <COSTA<
MC	8423	JOHN K S <REID<
MC	8425	ROBERT <OVERBAY<
MC	8426	ERIC B <HADAMA<
MC	8428	GLENN AKIO <PESTANA<
MC	8429	DONALD F <NAQUIN<
MC	8430	ERIC J <RIVERA<
MC	8431	KENNETH S Y <FU<
MC	8432	CURT R <IBARA<
MC	8433	TRAVIS V <MAU-QUEDDING<
MC	8434	JOHN M <MASTERS<
MC	8435	JACOB M <PERRON<
MC	8436	MARK <UNDAN<
MC	8437	BRIAN R <ROGERS<
MC	8438	JORDAN C <SASAKI<
MC	8439	ROBIN J <CARVALHO<
MC	8440	JAMES C <TAKETA-DANIEL<
MC	8441	NICKEY S <HIRATA<
MC	8442	KEVIN J L <BRISTOL<