

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, November 16, 2011

Time: 9:30 a.m.

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

Present: Steven J.T. Chow, Esq., Public Member, Chairperson
Roy Sasuga, Public Member, Vice-Chairperson
Swee Berkey, Public Member
Warren Higa, Industry Member
James Hiramawa, Industry Member
Alan Nakamura, Industry Member

Christine Rutkowski, Executive Officer
Rodney J. Tam, Deputy Attorney General
Alice Worthy, Secretary

Excused: Benjamin Waiolama, Public Member

Guests: None.

Call to Order: With the presence of quorum, Chairperson Chow called the meeting to order at 9:40 a.m.

Agenda Additions/
Revisions: None.

Minutes of Previous
Meeting: Minutes of the November 17, 2010 Meeting

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

Chapter 91, HRS, Adjudicatory Matters: In the Matter of the Motor Vehicle Mechanic's License of PAUL A. EISENBERG, Respondent; ARP 2009-20-L – Page 4, delete numbered paragraph #3.

Minutes of the September 14, 2011 Meeting

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

Page 3, Other Organizations, add the following:

The Chair asked the Executive Officer to write HCC requesting a status report on the activities of the program and for an accounting of the funds used.

Chair's Report: None.

Executive Officer's Report: Office of Information Practices – None.
Hawaii State Ethics Commission – None.

Other

The Executive Officer stated that Mr. Waiolama is excused from today's meeting.

Copies of the 2012 meeting schedule were given to members for their information. The Executive Officer asked the members to review the meeting dates and to let her know if there are any conflicts with their schedules. The Chair stated that he will not be able to attend the January 11, 2012 meeting due to a prior commitment.

Chapter 91, HRS, Adjudicatory Matters:

The Chairperson called for a recess from the meeting at 9:55 a.m. to deliberate on the following adjudicatory matters, pursuant to Hawaii Revised Statutes ("HRS") Chapter 91.

The Chair provided the members with background information on these two matters, as the current members were not on the Board when these matters came before the Board. A brief discussion followed.

In the Matter of the Motor Vehicle Repair Dealer's License of PACIFIC MOTOR WORKS, INC., Respondent; ARP 2007-44-L, ARP-2008-85-L – Board's Proposed Final Order

The Chair noted that the parties were properly notified of the Board's Proposed Final Order and that no exceptions or statements in support were filed by the parties.

After discussion, it was moved by Mr. Sasuga, seconded by Mr. Hirakawa, and unanimously carried to adopt the Board's Proposed Final Order and to delegate authority to the Executive Officer to issue the Board's Final Order.

In the Matter of the Motor Vehicle Mechanic's License of PAUL A. EISENBERG, Respondent; ARP-2009-20-L – Board's Proposed Final Order

The Chair noted that the parties were properly notified of the Board's Proposed Final Order and that no exceptions or statements in support were filed by the parties.

After discussion, it was moved by Mr. Sasuga, seconded by Mr. Hirakawa, and unanimously carried to adopt the Board's Proposed Final Order and to delegate authority to the Executive Officer to issue the Board's Final Order.

Licensing: Applications – None.

Ratification

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

New Business: None.

Unfinished
Business:

Board members discussed the Motor Vehicle Certification Program ("Program"). The Chair asked the Executive Officer about the status of UH/HCC's involvement in the Program. The Executive Officer replied that there has been no word from HCC, other than their email notification that they ceased the Program. The Executive Officer stated that communications with UH, Office of Research Services indicates that UH will not contract with the Board if HCC will not provide the services; that UH expects the Board to locate the Principal Investigator to oversee the Program. The Chair stated that the Board needs to receive written confirmation from UH regarding the current status of the Program. There was a suggestion that the Board initiate contact with the other community colleges within the UH system.

Board members discussed §437B-23, HRS, and came to consensus that the law requiring the Board to sponsor the Program via a contract with UH is no longer needed. There was discussion that when the Legislature created the requirement, it was to address a need that those in the industry may have had at the time – a program to assist them in becoming certified by ASE and a program to assist them in maintaining certification. The low attendance by the licensee population in the classes conducted by HCC, as reported by HCC, reflects a lack of interest/need for the Program. In addition, the ease with which licensees can access study guide/information from ASE via its website is apparent, as indicated in the steady numbers of licensees who are able to renew

their mechanic licenses. Board members agreed that it is time to initiate a law amendment to repeal the requirement that the Board administer the Program/contract with UH for the Program. There was discussion about whether a Bill to amend the law could be submitted via the Administration for 2012 Legislative Session. The Executive Officer stated that the deadline for submission has passed. Board members discussed the possibility of getting a Bill ready for 2013 Session or possibly that an outside bill could be submitted in 2012. Board members discussed that the repair industry does not have an active association that could assist the Board.

Other

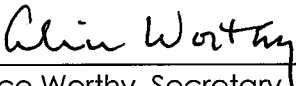
Organizations: None.

Correspondence: None.

Next Meeting: Wednesday, January 11, 2012
9:30 a.m.
King Kalakaua Conference Room
King Kalakaua Building, 1st Floor
Honolulu, Hawaii 96813

Adjournment: The meeting adjourned at 10:39 a.m.

Taken and recorded by:



Alice Worthy, Secretary

Reviewed and approved by:



Christine Rutkowski
Executive Officer

CR:aw
12/16/11

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

LTYPE	LIC NUM	BP NAME PART 1
RD	4162	GRANT M <HIGA<
RD	4163	BRANDON M <LAU<
RD	4164	HAWAIIAN ISLAND TIRE CO INC
RD	4165	RAY'S SOUTH MAUI CHOPPERS LLC
RD	4166	ISLAND FLEET SERVICES
RD	4167	TONY HAWAII AUTOMOTIVE GROUP LTD
RD	4168	GRACE AUTOMOTIVE LLC

LTYPE	LIC NUM	BP NAME PART 1
MC	8455	MELVIN P <LOPEZ<
MC	8456	SHERWIN K <YAMASAKI<
MC	8457	KALEOMANAO K <LOANDO<
MC	8458	BRANDON M <CHANG<
MC	8459	JAYSEN S <KUSHI<
MC	8460	GAGE Y <YAHATA<
MC	8461	EDWARD D <ABE<
MC	8462	HERMAN J <CALASA< III