

MOTOR VEHICLE INDUSTRY LICENSING 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 §92-7(b), Hawaii Revised Statutes (HRS).

Date: Tuesday, April 17, 2012
Time: 9:00 a.m.
Place: Queen Liliuokalani Conference Room
King Kalakaua Building
335 Merchant Street, 1st Floor
Honolulu, Hawaii 96813

Present: Werner Umbhau, Public Member, Chairperson
Russell Y. J. Chung, Public Member
Carl D. Johnsen, Public Member
Stan Masamitsu, Industry Member
Donald Touchi, Public Member
Christine Rutkowski, Executive Officer
Rodney J. Tam, Deputy Attorney General
Alice Worthy, Secretary

Excused: Thomas Nakama, Industry Member, Vice-Chairperson
Dennis Short, Industry Member

Guests: Dave Rolf, HADA

Call to Order: Chairperson Umbhau called the meeting to order at 9:05 a.m., at which time quorum was established.

Additions/Revisions to Agenda: None.

Approval of Minutes of Previous Meeting: It was moved by Mr. Chung, seconded by Mr. Johnsen, and unanimously carried to approve the meeting minutes of February 21, 2012 as circulated.

Chair's Report: None.

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

Members were again reminded that the deadline to file their financial disclosure statements is May 31, 2012, and to contact the State Ethics Commission directly if they have any questions.

Other

The Executive Officer reported on the status of the Board's membership. The terms for Messrs. Nakama, Touchi and Chung expire on June 30, 2012. The Governor did not submit any names to the Legislature to fill these vacancies, and the deadline to do so (March 30, 2012) has passed. The Governor could appoint Messrs. Touchi and Chung on a holdover basis for another year. If not, this would be a problem, for quorum purposes, when scheduling a Board meeting. All four members will be required to attend every meeting.

Chapter 91, HRS

Adjudicatory

Matters:

None.

Licensing:

Ratifications

Motor Vehicle Salespersons Transfers

Motor Vehicle Salespersons License

Motor Vehicle Dealer Relocation License

Motor Vehicle Dealers License

Motor Vehicle Manufacturer License

Motor Vehicle Distributor License

Motor Vehicle Auction

Motor Vehicle Consumer Consultant

Upon a motion by Mr. Touchi, seconded by Mr. Johnsen, it was unanimously carried to ratify the above lists for the licenses sought (as attached).

Applications

At 9:10 a.m., it was moved by Mr. Chung, seconded by Mr. Touchi, 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

At 9:17 a.m., it was moved by Mr. Chung, seconded by Mr. Masamitsu, and unanimously carried to return to the Board's regular order of business.

Kent D. Anderson – Motor Vehicle Salesperson

Board members reviewed the application and documents submitted by applicant.

After a brief discussion, it was moved by Mr. Touchi, seconded by Mr. Johnsen, and unanimously carried to approve the application for a motor vehicle salesperson's license for Mr. Anderson.

Correspondence: None.

New Business: None.

Unfinished Business: 2012 Legislative Session

The Executive Officer reported that S.B. 2296 was deferred in the Senate Committee on Commerce and Consumer Protection. Therefore, this bill is done for the session.

H.B. 1543, S.D. 1, Relating to the Motor Vehicle Industry Licensing Law is moving through the session. The Executive Officer informed the Board that staff was not aware of this bill until March 14, 2012. Therefore, the Board was not informed about the bill prior to this meeting

H.B. 1543, S.D. 1 proposes to amend Part II of Chapter 437, HRS by prohibiting motor vehicle manufacturers or distributors from recovering or attempting to recover, from the franchised dealers, the cost for reimbursing a dealer for vehicle warrant repairs that are required under the law.

On March 28, 2012, the Senate Committee on Commerce and Consumer Protection, the only Committee to which the bill was referred, heard and passed out the bill. Chair Umbhau, on behalf of the Board, submitted a testimony of "no position" with an explanation that Part II provides a civil remedy for disputes between the parties and does not fall under the Board's jurisdiction.

The bill was transmitted to the House, which disagrees with the amendments. Therefore, the bill may be scheduled for Conference Committee. As of April 16, 2012, the House conferees have been appointed: Yamane, Tokioka and Marumoto.

The Executive Officer further informed the Board that H.B. 2238, H.D. 1, Relating to Motor Vehicles which had identical language to H.B. 1543, S.D. 1, was heard in the House Committee on Consumer Protection and Commerce ("CPC") on February 27, 2012. CPC passed the bill out of Committee and it crossed over to the Senate. However, the Senate Committee did not hear H.B. 2238, H.D. 1. This bill is done for the session.

Chair Umbhau stated that the Executive Officer tracks the bills and there's a lot of work involved. Therefore, he asked that courtesy notice be given to the Executive Officer about bills that can impact the Board's work. Member Masamitsu agreed and added that the language of the bill really doesn't affect the Board.

Dave Rolf explained that since HADA was not party to the bill, the HADA executive board instructed him to inform the Alliance of Automobile Manufacturers. He stated that he would raise the matter with the HADA executive board about notifying this Board.

After discussion, it was moved by Mr. Touchi, seconded by Mr. Chung, and unanimously carried (Mr. Masamitsu abstained) to affirm the "no position" testimony that the Chair submitted on the Board's behalf on H.B. 1543, S.D. 1.

Scope Questions: None.

HADA, HIADA,
Organizations: None.

Next Meeting: TBA

Deputy Attorney General Tam stated that he will not be available for the June 12, 2012 meeting. As a result, members agreed to reschedule the June 12th meeting. Tentative dates were discussed and as soon as a date has been determined, the Executive Officer will notify everyone.

Adjournment: There being no further business to discuss, the meeting adjourned at 9:47 a.m.

Taken and recorded by:

/s/ Alice Worthy

Alice Worthy, Secretary

Reviewed and approved by:

/s/ Christine Rutkowski

Christine Rutkowski
Executive Officer

CR:aw
4/20/12

[X] Minutes approved as is.
[] Minutes approved with changes. See Minutes of _____.

APPLICATIONS FOR SALESPERSON'S TRANSFERS						
Tuesday, April 17, 2012						
HONOLULU						
ADDISON III, HENRY				CUTTER CJD, INC		
ASAO, DANIEL				HONOLULU FORD INC		
BACA, ANTHONY				HAWAII AUTOMOTIVE RETAILING GRP		
BROWN, RICKY				JN GROUP, INC		
CABUTAGE, RICHARD				WINDWARD AUTO SALES INC		
DESCHINER, JAMES				ALOHA AUTO GROUP		
GATEWOOD, DONALD				ALOHA KIA WINDWARD		
GRANT, KEVIN				ALOHA KIA-WAIPAHU		
HERSH, CRAIG				STOEBNER HOLDINGS INC		
JOHNSON, DONALD				CUTTER CHRYSLER JEEP DODGE INC		
LABRADOR, ALFREDO				HONOLULU FORD INC		
LAU, THOMAS				ALOHA KIA LEEWARD		
LEDERER, ANTHONY				HAWAII AUTOMOTIVE RETAILING GRP		
LEE, ANDREW				TONY HAWAII CORP DBA TONY HONDA		
LEHMAN, MARK				HONOLULU FORD INC		
LEWIS, FREDERICK				ALOHA KIA-WAIPAHU		
MARTINEZ, JOHNNY				JN GROUP INC		
MCKEOWN, MICAH				TONY HAWAII CORP DBA TONY HONDA		
NAKASHIMA, BRIAN				A-1 AUTO SALES LLC		
NAUGHTON, TOM				CUTTER BUICK GMD, INC		
NERO, JEROME				FRANK THE USED CAR GUY LLC		
PRAJAPATI, SUKETU				JN GROUP, INC		
RITA-KAUI, AUSTIN				CUTTER FORD AIEA		
RUIZ, STEVEN				BMW OF HONOLULU		
SANTIAGO, ASHLEY				SOUTH SEAS CYCLE EXCHANGE		
SEKIYA, GRANT				WINDWARD AUTO SALES INC		
SOFFA, JORDAN				PARADISE AUTOS INC		
SPARKS, JOHNNY				NEW CITY NISSAN		
SPRAGUE, LUCAS				AUTO ACRES INC		
STEIMER, CODY				HAWAII AUTOMOTIVE RETAILING GRP		
SWITKEN, CURTIS				HONOLULU FORD INC		
TRAPP, ARIC				HONOLULU FORD INC		
TROUTMAN III, RICHARD				CUTTER BUICK GMC INC		
ULISIA, KEN				WINDWARD AUTO SALES INC		
WOODMAN JR, JOHN				GAC AUTO GROUP INC		
YAMANE, GAVIN				GAC AUTO GROUP INC		
YOUNG, DANIEL				HAWAII AUTOMOTIVE RETAILING GRP		
ZIBAKALAM, ALI				HAWAII AUTOMOTIVE LLC		
HAWAII						
DESCHAMPS, IVAN				KAMAAINA NISSAN, INC		
KAUAI						
SHIOI, STEPHEN				OHANA MOTORS, INC.		
TAITAGUE, FRED				SODERHOLM SALES & LEASING, INC		
MAUI						
KORD, TED				ALOHA KIA MAUI		

Car Salespersons

VAT_02_BPR_LEGAL_NAME_1

Company Name	State	Legal Name
ALOHA AUTO GROUP LTD	OAHU	GRETCHEN C <AGUINALDO<
JN GROUP INC	OAHU	ROCHELLE <AKI-GALVEZ<
DISCOUNT RIDES LLC	MAUI	MOHAMMED <AL-JAMAL<
ABC AUTO CENTER INC	OAHU	MELVIN L <BOBILES< JR
GOOD DEAL INC	OAHU	AHMED J <BOUSNINA<
PARADISE AUTOS INC	OAHU	STEPHEN R <BROWN<
KING INFINITI OF HONOLULU	OAHU	CLAYTON K <CALLES<
CYCLE CITY LTD	OAHU	MARCI G <CALVILLO<
VALLEY ISLE MOTOR	MAUI	JULIUS P <CARLOS<
ALOHA AUTO GROUP LTD	BIG ISLAND	GEORGE J <CARTER<
WINDWARD AUTO SALES INC	OAHU	TODD <CASH<
HAWAII AUTOMOTIVE RTLNG	OAHU	PAVEL <CHECHIN<
TONY HAWAII AUTOMOTIVE GRP	OAHU	ANTHONY W O <CHING<
IK MOTORS INC	BIG ISLAND	EDWARD L <CHING<
SATURN OF HONOLULU	OAHU	SUTAH A <CHIRAYUNON<
HAWAII NISSAN INC	OAHU	MARK L B <CLARITO<
HAWAII NISSAN INC	OAHU	NATHANIEL B <COELHO<
CUTTER FORD INC	OAHU	DARRELL L <COX<
ALOH AUTO GROUP	BIG ISLAND	CHELSEA <CRISWELL<
A-1 AUTO SALES	OAHU	TYLER P <DAVIN<
WINDWARD AUTO SALES INC	OAHU	BRYSON E <DELUZE<
AUTO STATION LLC	OAHU	RAY <DONG<
KUHIO MOTORS INC	KAUAI	MIGUEL H <DORATI<
JIM FALK MOTORS	MAUI	GERALD V <DOW<
ALOHA AUTO GROUP LTD	OAHU	KATIE R <DRYER<
TONY HAWAII AUTOMOTIVE GROUP	OAHU	MATTHEW T <ENSOR<
JN GROUP INC	OAHU	YULETT <FERREIRA<
ALOHA AUTO GROUP	OAHU	NICHOLAS <FOY<
CUTTER FORD	OAHU	JERRY TAKEO-ALARIN <FUJIMOTO< JR
ROYAL AUTO GROUP LLC	OAHU	RYLAH N F <GALLARDO<
KONA AUTO CENTER	BIG ISLAND	GRANT E <GASPAR<
SHELLY EUROCARS	MAUI	DAVID B <HARRELL<
JN GROUP INC	OAHU	BRANDON T <HARRIS<
HAWAII NISSAN INC	OAHU	FELIX A <HERNANDEZ<
KING INFINITI OF HONOLULU	OAHU	LLOYD T <HIGA<
SOUTH SEAS CYCLE EXCHANGE	OAHU	ALBERT F <HURGO< JR
CUTTER FORD	OAHU	TEUILA D <IESE<
CYCLE CITY LTD	MAUI	GUY R <INOUYE<
JN GROUP INC	OAHU	JAMES M <ISIP<
WINDWARD AUTO SALES INC	OAHU	CHRISTOPHER <JAY<
CUTTER BUICK GMC	OAHU	VICTORIA L <KAHOANO<
HAWAII NISSAN	OAHU	DEREK K <KAM<
WINDWARD AUTO SALES	OAHU	AARON K P <KAPELIELA<
CUTTER FORD	OAHU	GREGORY T <KATES<
JJCO INC	OAHU	VALERIE G <LAWSON<
HAWAII AUTOMOTIVE RTLING GROUP INC	OAHU	VINCENT M K <LEONG<
ALOHA AUTO GROUP LTD	OAHU	ANDREW C <LOWE<
HAWAII AUTOMOTIVE RTLING GROUP	OAHU	PETER <MARTINO<
CUTTER CJD INC	OAHU	DARRYL D <MASON<
CUTTER CJD INC	OAHU	JAMES <MAWAE<
CUTTE CHRYSLER JEEP	OAHU	JAMES L <MCAFOOSE<
CUTTER FORD INC	OAHU	GARY D <MCCREADY<
JONES MAUI LLC	MAUI	STEPHEN M <MCNANIE<
IK MOTORS INC	BIG ISLAND	KELSON K <MINEMOTO<
CUTTER FORD INC	OAHU	EDUARDO E <MORALES<
CUTTER BUICK GMC	OAHU	PATRICK R <MULLER<
JN GROUP INC	OAHU	THOMAS <MURDOCH<

REMARK	VAT_02_BPR_LEGAL_NAME_1
HAWAII NISSAN INC	OAHU STEPHEN M <MURRAY<
A-1 AUTO SALES LLC	OAHU CHRISTOPHER N <NAKASHIMA<
RAINBOW CHEVROLET	OAHU DUY T <NGUYEN<
HAWAII AUTO GROUP	OAHU KARL N <OLSEN<
KING WINDWARD NISSAN LLC	OAHU BRYSON J K <PARKER<
HAWAII AUTOMOTIVE RTLING GRP	OAHU JACE R <PATRICK<
SERVCO PACIFIC	MAUI JOHN M <PLATIRO<
HAWAII AUTOMOTIVE RTLING GRP INC	OAHU WILLIW <PRIDGEHT<
ALOHA AUTO GROUP LTD	OAHU JEFFREY V <RAMONES<
JP AUTOMOBILES INC	OAHU JORDAN L <RANCHE<
KUHIO MOTORS INC	KAUAI ASHFORD S <RITA<
JJCO INC	OAHU DANIEL T <ROGERS<
CYCLE CITY LTD	MAUI GERALD L <ROSE<
CUTTER FORD	OAHU GAWNIE <RULE<
WINDWARD AUTO SALES	OAHU CASEY R <SALAS<
PARADISE AUTOS INC	OAHU ERIC H <SAMPSON<
KING INFINITI OF HONOLULU LLC	OAHU SCOTT J <SATO<
CYCLE CITY LTD	MAUI NESTOR E <SEGUNDO<
TONY HAWAII AUTOMOTIVE GRP	OAHU KENNETH M <SMILEY<
INTER PACIFIC MOTORS INC	BIG ISLAND BRANDON I <TOMONO<
JN GROUP INC	OAHU XUAN MAI T <TRAN<
CUTTER CHRYSLER JEEP	OAHU NHAN T <TRUONG<
CUTTE CHRYSLER	OAHU DREVIS J <TSUI<
PRE-OWNED MOTORS	BIG ISLAND LARRY <UCHIDA<
KING INFINITI OF HONOLULU	OAHU THOMAS A <WILLEMS<
CYCLE CITY LTD	MAUI DAVID P <WOLF<
CUTTER CHRYSLER JEEP DODGE	OAHU BERNARD <YOUNG<

VLI_LICENSE_VIEW

Tuesday April 10, 2012

Dealer	LIC NUM	BUSN		BUSN	ZIP	BP NAME PART 1
		ST	ST			
MVD	962	C	HI	96797		USA AUTO SALES LLC
MVD	963	C	HI	96814		ROYAL AUTO GROUP LLC
MVD	964	C	HI	96814		AUTO STATION LLC

Manufacturer	NUM	BUSN		BUSN	ZIP	BP NAME PART 1
		ST	ST			
F	151	C	IN	46996		THE BRAUN CORPORATION

MVI RELOCATIONS 4-17-12bd mtg

CARS FOR LESS MAUI LLC MVD-954
720 LOWER MAIN STREET
Wailuku HI 96793

SODERHOLM SALES AND LEASING INC MVD-610
3124 PELEKE ST
Lihue HI 96766

AUTOSOURCE LLC MVD-672
1283 KAPIOLANI BLVD
Honolulu HI 96814

4 Wheels Auto LLC MVD-828
1299 HART ST
Honolulu HI 96817

C & C Auto Group Inc MVD-935
94-245 FARRINGTON HWY
Waipahu HI 96797

Cutter Buick GMC Inc MVD-930
94-149 FARRINGTON HWY
Waipahu HI 96797