

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: Thursday, August 13, 2015  
Time: 1:30 p.m.  
Place: Queen Liliuokalani Conference Room  
King Kalakaua Building  
335 Merchant Street, 1<sup>st</sup> Floor  
Honolulu, Hawaii 96813

Present: Roy Sasuga, Public Member, Chairperson  
Marie Weite, Public Member, Vice-Chairperson  
Michael Tetsutani, Industry Member  
Robert Figaroa, Jr., Industry Member  
  
Carol Kramer, Executive Officer  
Rodney J. Tam, Deputy Attorney General  
Napaporn Lam, Secretary

Guest: Kevin Sumida, Mechanic License Applicant

Call to Order: With the presence of quorum, Chairperson Sasuga called the meeting to order at 1:33 p.m.

Introduction of new Board Member, Robert Figaroa, Jr.: Chairperson Sasuga welcomed Mr. Figaroa to the Board as its newest member and asked him to introduce himself to the Board.

Agenda Additions/Revisions: None.

Minutes of Previous Meeting: Minutes of the April 16, 2015 Meeting  
  
It was moved by Mr. Tetsutani, seconded by Ms. Weite, and unanimously carried to approve the minutes as circulated.

Chairperson's Report: None.

Executive Officer's Report: None.

Chapter 91, Hawaii Revised Statutes, Adjudicatory Matters: Chairperson Sasuga called for a recess from the meeting at 1:38 p.m. to deliberate on the following adjudicatory matters, pursuant to Hawaii Revised Statutes ("HRS") Chapter 91.

In the Matter of the Motor Vehicle Repair Dealer's License of Le's Transmission Corporation, Respondent; ARP 2012-17-L – Settlement Agreement After Filing of Petition for Disciplinary Action and Board's Final Order

After a brief discussion, it was moved by Ms. Weite, seconded by Mr. Tetsutani, and unanimously carried to approve the settlement agreement, in which:

1. Respondent admits to a violation of the following:
  - a. HRS §437B-11(6): (failure to comply with this chapter or rules adopted pursuant to it; to wit: HAR §16-87-11(e) Registration of motor vehicle repair dealer shall be limited to the specialties or areas of certification in which the dealer and the dealer's full-time employees, or both, have been registered or certified as mechanics by the board);
  - b. HRS §437B-11(6): (failure to comply with this chapter or rules adopted pursuant to it; to wit: HRS §437B-11 No motor vehicle mechanic shall engage in the repair of motor vehicles unless that person is also licensed as a motor vehicle repair dealer or unless that person is in the employ of a motor vehicle repair dealer);
  - c. HRS §437B-15(a): (failing to give written estimate for a job prior to commencement of the job, unless waived in writing by customer); and
  - d. HAR §16-87-22: (failure to get customer's consent to increase cost of repair above the estimate price and customer's waiver of right to a repair estimate on a form not incorporated with another form).
2. Respondent enters into this Settlement Agreement as a compromise of the claims and to conserve on the expenses of proceeding with an administrative hearing on this matter.
3. Respondent agrees that this Settlement Agreement is intended to resolve the issues raised in RICO's investigation in ARP 2012-17-L.
4. Terms of Settlement
  - Respondent agrees to pay a fine of ONE THOUSAND AND NO/100 DOLLARS (\$1,000.00).
  - If Respondent fails to fully and timely comply with the terms of this Settlement Agreement, Respondent's license shall be automatically revoked upon RICO's filing of an affidavit with the Board attesting to such failure. In case of such revocation, Respondent shall turn in all indicia of the license to the Executive Officer of the Board within ten (10)

days after receipt of notice of the revocation. In case of such revocation, Respondent understands Respondent cannot apply for a new license until the expiration of at least five (5) years after the effective date of the revocation. Respondent understands that if Respondent desires to become licensed again, Respondent must apply to the Board for a new license pursuant to and subject to HRS §§92-17, 436B-21, and all other applicable laws and rules in effect at the time.

Licensing:

Ratifications

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

Applications

At 1:44 p.m., it was moved by Ms. Weite, seconded by Mr. Figaroa, 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), Hawaii Revised Statutes, 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 1:50 p.m., it was moved by Ms. Weite, seconded by Mr. Tetsutani, and unanimously carried to return to the Board's regular order of business.

Kevin Sumida and Sumida's Auto Repair

Applicant submitted an application for a mechanic and a motor vehicle repair dealer's license.

After some discussion, it was moved by Ms. Weite, seconded by Mr. Tetsutani, and unanimously carried to approve the applications for a mechanic's license for Kevin Sumida and a motor vehicle repair dealer's license for Sumida's Auto Repair.

At 1:53 p.m., it was moved by Ms. Weite, seconded by Mr. Tetsutani, 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), Hawaii Revised Statutes, 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 1:59 p.m., it was moved by Mr. Figaroa, seconded by Mr. Tetsutani, and unanimously carried to return to the Board's regular order of business.

#### Jonathan Tribbey – Motor Vehicle Mechanic

Board members reviewed the application and supporting documents submitted by the applicant.

After some discussion, it was moved by Mr. Tetsutani, seconded by Ms. Weite, and unanimously carried to issue a motor vehicle mechanic's license to Mr. Jonathan Tribbey.

#### David Sato – Motor Vehicle Mechanic

Board members reviewed the application and supporting documents submitted by the applicant.

After some discussion, it was moved by Mr. Tetsutani, seconded by Ms. Weite, and unanimously carried to issue a motor vehicle mechanic's license to Mr. David Sato.

#### Jason Heisler – Motor Vehicle Mechanic

Board members reviewed the application and supporting documents submitted by the applicant.

After some discussion, it was moved by Mr. Tetsutani, seconded by Ms. Weite, and unanimously carried to approve the application subject to the submittal of additional information to be reviewed by the Executive Officer and approved if the documents submitted do not deviate from the information submitted by the applicant.

#### Chad Furukawa – Motor Vehicle Mechanic

Board members reviewed the application and supporting documents submitted by the applicant.

After some discussion, it was moved by Mr. Tetsutani, seconded by Ms. Weite, and unanimously carried to issue a motor vehicle mechanic's license to Mr. Chad Furukawa.

#### LXS Hawaii, Inc. – Motor Vehicle Repair Dealer

Board members reviewed the application and supporting documents submitted by the applicant.

After some discussion, it was moved by Ms. Weite, seconded by Mr. Tetsutani, and unanimously carried to issue a motor vehicle repair dealer's license to LXS Hawaii, Inc.

Island Performance and Offroad, Inc. – Motor Vehicle Salvage Repair Dealer

Board members reviewed the application and supporting documents submitted by the applicant.

After some discussion, it was moved by Ms. Weite, seconded by Mr. Tetsutani, and unanimously carried that based on RICO's inspection of the premises and equipment and review of the documents, the application for a salvage repair dealer's license for Island Performance and Offroad, Inc. be approved.

New Business:      Addition to RICO's Motor Vehicle Repair Advisory Committee

The Executive Officer stated that Mr. Michael Ji has agreed to serve as a member of RICO's Motor Vehicle Repair Advisory Committee, effective immediately for the remainder of the current term. Mr. Ji is currently licensed and has no pending or prior complaints at the present time.

Deputy Attorney General Tam also stated that Mr. Ji's expertise would be invaluable in assisting RICO with motor vehicle repair complaints and with the site inspection for Motor Vehicle Salvage Repair Dealers.

It was moved by Mr. Figaroa, seconded by Ms. Weite, and unanimously carried to approve Mr. Michael Ji as a member of RICO's Motor Vehicle Repair Advisory Committee, effective immediately for the remainder of the current term.

Mobile service determination

The Executive Officer stated that she received an inquiry from Servco Subaru (RD-4215), regarding whether a separate repair dealer license is required to perform minor repairs outside of the repair facility. The scope of "minor repairs" consist of diagnostics and minor servicing.

After some discussion, it was moved by Ms. Weite, seconded by Mr. Tetsutani, and unanimously carried that the Board doesn't consider minor repairs of diagnostics and minor servicing outside of the repair facility, a mobile repair dealer. Therefore, a separate repair dealer license is not required.

Next Meeting:      Thursday, September 17, 2015  
1:30 p.m.  
Queen Liliuokalani Conference Room  
King Kalakaua Building, 1<sup>st</sup> Floor  
Honolulu, Hawaii 96813

Adjournment: The meeting adjourned at 2:12 p.m.

Taken and recorded by:

/s/ Napaporn Lam

\_\_\_\_\_  
Napaporn Lam, Secretary

Reviewed and approved by:

/s/ Carol Kramer

\_\_\_\_\_  
Carol Kramer  
Executive Officer

CK:nl  
08/31/15

[ X ] Minutes approved as is.

[ ] Minutes approved with changes; see minutes of \_\_\_\_\_.

# MOTOR VEHICLE REPAIR INDUSTRY BOARD

## RATIFICATION LIST

Thursday, August 13, 2015

RD	4293	USMAN AUTO LLC
RD	4294	KW AUTO BODY-ALA MOANA LLC
RD	4295	LAHAINA PETROLEUM LLC
RD	4296	AUTOMOTIVE SOLUTION SPECIALISTS LLC
RD	4298	PRECISION AUTO BODY INC
RD	4299	TOP NOTCH AUTOMOTIVE INC
RD	4300	MIKE'S SPECIAL T AUTO REPAIR SERVICE LLC
RD	4301	PAUL'S SERVICES & REPAIR INC
RD	4302	MICHAEL N <AFOAKWA<
RD	4303	SANBORN COLLISION REPAIR LLC
RD	4304	SERVCO SUBARU INC
MC	8689	USMAN B <SARTE<
MC	8690	JONATHAN <TUFTS<
MC	8691	JEROME <ROMANO< JR
MC	8692	MATTHEW B <RAY<
MC	8693	MARLON A <VILLANUEVA<
MC	8694	EDWARD A <CALL< III
MC	8695	ZACHARY K O <MILLER<
MC	8697	ERIC J M <SOLIVEN<
MC	8698	RAYMOND <ZHANG<
MC	8699	STACY R <NAKAMOTO<
MC	8700	SCOTT K <YAMASHIRO<
MC	8701	LAWRENCE K <MARTINSON<
MC	8702	JOSEPH M <D'AMICO<
MC	8703	ANTHONY L <RAMOS<
MC	8704	ROBERT J <WARD< III
MC	8705	JONATHAN R <AGAPAY<
MC	8706	TRAVIS M O <CORDEN<
MC	8707	SETHILRAJ <SRIGANTHAN<
MC	8708	JOSEPH H <HASHIMOTO<
MC	8709	BRYCE L <GAYAGAS<
MC	8710	TYSON <YOUNG<
MC	8711	ERVINNE V <DE GULA<
MC	8712	RICHARD A <ROCHA<
MC	8713	JOSIAH <KARNUTH<
MC	8714	SHANE T <NAKAMICHI<
MC	8715	RICHARD D <BUSTA<
MC	8716	ANTONY G <BABCOCK<
MC	8717	KIN WAI <SIN<
MC	8718	JASON H N <SANBORN<
MC	8719	WILLIAM C <MASON<
MC	8720	JENNING N <TILFAS< JR
MC	8721	ROOSEVELT B <PERALTA
MC	8722	TIMOTHY J <HALL<
MC	8723	ALISSA K <HUDDY<
MC	8724	CHANEL E <TAYLOR<
MC	8725	ALLAN M <RIBUCAN<
MC	8726	TRAVIS M <SHIMAMOTO<
MC	8727	ANTHONY <ELLAZAR<
MC	8728	CHAMEN L <SUBASINGHE<
MC	8729	JASON A <SABA<
MC	8730	RYAN J H <ALFEROS<
MC	8731	GARRETT K <LAU<
MC	8732	COLIN K K <TANAKA<
MC	8733	ANDREW Y <SUBIA<
MC	8734	DYLAN K <ENDAYA<