

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, March 31, 2016

Time: 1:30 p.m.

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

Members Present: Roy Sasuga, Public Member, Chairperson
Marie Weite, Public Member, Vice-Chairperson
Robert Figaroa, Jr., Industry Member
Michael Tetsutani, Public Member

Staff Present: Carol Kramer, Executive Officer
Rodney J. Tam, Esq., Deputy Attorney General
Ronni-Ann Bumgarner, Secretary

Guest: William K. Verburg – VIP Motors Hawaii, Inc.
Colin B. Sakamoto, Esq.
Jack Rivers – VIP Motors Hawaii, Inc.

Call to Order: There being a quorum present, Chairperson Sasuga called the meeting to order at 1:40 p.m.

Agenda Additions/Revisions: Chair Sasuga announced that the agenda would be taken out of order.

Applications VIP Motors Hawaii, Inc.

Mr. Verburg of VIP Motors Hawaii was present at the meeting. The Board asked Mr. Verburg to explain the complaint against him. Mr. Verburg explained to the Board that he has a RICO case pending because of a customer complaint due to a repair issue. He explained he didn't have a repair dealer's license but was piggy backing on his landlord's license. Mr. Tetsutani asked if there were any other cases like this? DAG Tam explained that this is a pending case that has not been settled yet.

At 1:48 p.m., it was moved by Mr. Tetsutani, seconded by Vice-Chairperson Weite, 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 1:52 p.m., it was moved by Vice-Chairperson Weite, seconded by Mr. Tetsutani, and unanimously carried to return to the Board's regular order of business.

Applications:

VIP Motors Hawaii, Inc.

After some discussion, it was moved by Vice-Chairperson Weite, seconded by Mr. Tetsutani, and unanimously carried to approve the application for VIP Motors Hawaii, Inc.

Chair Sasuga announced that the Board would return to the order of the agenda.

Minutes of Previous Meeting:

Minutes of the November 19, 2015 Meeting

It was moved by Vice-Chairperson Weite, seconded by Mr. Tetsutani, and unanimously carried to approve the minutes as circulated.

Chairperson's Report:

None.

Executive Officer's Report:

Penske clarified that it wanted the Board to approve its CASE certification program as an alternative to ASE certifications. Requesting the Board to waive ASE certifications, if a mechanic applicant is Penske certified, for state licensing. Executive Officer Kramer emphasized that Penske's certification program had to be available to all mechanic applicants, not just Penske employees. Penske, subsequently, withdrew its request.

Chapter 91, HRS, Adjudicatory Matters:

At 1:50 p.m. the Chair called a recess to discuss the following adjudicatory matter, pursuant to Chapter 91, HRS.

In the Matter of the Motor Vehicle Repair Dealer's License of Pacific Power Products Company, dba Pacific Power Products Washington; ARP 2012-16-L, Settlement Agreement Prior to Filing of Petition for Disciplinary Action and Board's Final Order

The Board reviewed this Settlement Agreement. After much discussion, it was moved by Mr. Figaroa, seconded by Mr. Tetsutani, and unanimously carried to approve the Settlement Agreement, in which:

1. The Respondent does not admit that it has violated any law or rule, but acknowledges that RICO has sufficient cause to file a Petition for Disciplinary Action against its motor vehicle repair dealer's license.
2. The Respondent agrees to pay a fine in the amount of FIVE HUNDRED AND NO/100 DOLLARS (\$500.00), which payment shall be due at the time this fully executed Settlement Agreement is returned to RICO.
3. If Respondent fails to fully and timely comply with the terms of this Settlement Agreement, Respondent's license shall be automatically revoked for a period of five (5) years 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 its licensure to the Executive Officer of the Board within ten (10) days after receipt of notice of revocation. Upon completion of the revocation period, Respondent understands that it will need to apply to the Board for a new license pursuant to HRS §§92-17, 436B-21, and all other applicable laws and rules.

Following the Board's review, deliberation and decision in this matter pursuant to Chapter 91, HRS, at 2:15 p.m., the Chair announced that the Board was reconvening its scheduled meeting.

New Business: None.

Licensing: Ratifications

RD Ratification list

RD 4315 LITHIA OF HONOLULU-A INC
RD 4316 KAPAA AUTO BODY LLC
RD 4317 EURO CAR MAUI LLC
RD 4318 DAMI CO LLC
RD 4319 TESLA MOTORS INC
RD 4320 ANTIQUE AUTO AUTHORITY LLC
RD 4321 SPECIAL T AUTOMOTIVE REPAIR LLC
RD 4322 HABERMANN'S AUTO REPAIR LLC
RD 4323 MARC ANGELO ACIERTO
RD 4324 MAGIC TRADING LLC
RD 4325 MEDINAS CUSTOM AUTO PAINTING & HOT RODS LLC
RD 4326 TRIPLE 7'S UNLIMITED ENTERPRISES LLC
RD 4327 RUEL C ABALOS

MC Ratification List

MC 8763 RHODNY R BASUG
MC 8764 JOHNNY M FRANKLIN
MC 8765 JEFFREY D BENNETT
MC 8766 ALADDIN A FINLEY
MC 8767 PATRICK W MIYAMOTO
MC 8768 ARIEL A FERRER
MC 8769 NAMANI S DOLE
MC 8770 KYLE P PADILLA
MC 8771 LAIRD L KETRON
MC 8772 SHAWN STILLMAN
MC 8773 KALEN S CHIKAMORI
MC 8774 AARON K VELORIA
MC 8775 DWIGHT E READER
MC 8776 ROBERT M MCDONOUGH
MC 8777 BRYSON L ANZAI
MC 8778 LEVI D DEROUIN
MC 8779 JASON M HEISLER
MC 8780 ASHLEY A CAUDLE
MC 8781 ALIKA G RIBAO
MC 8782 SPUNKY K TAYABA-BECKS
MC 8783 EDWIN C MEDEIROS JR

The Board members reviewed the ratification list for Motor Vehicle Repair Dealers and Motor Vehicle Mechanic licenses.

It was moved by Mr. Tetsutani, seconded by Mr. Figaroa and unanimously carried to ratify the list.

Old Business: None.

Next Meeting: Thursday, May 19, 2016
1:30 p.m.
Queen Liliuokalani Conference Room
King Kalakaua Building, 1st Floor
335 Merchant Street
Honolulu, Hawaii 96813

Adjournment: The meeting adjourned at 2:08 p.m.

Taken and recorded by:

/s/ Ronni-Ann Bumgarner

Ronni-Ann Bumgarner, Secretary

Reviewed and approved by:

/s/ Carol Kramer

Carol Kramer, Executive Officer

CK:rb
04/19/16

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