

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, January 17, 2019

Time: 1:30 p.m.

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

Members Present: Robert Figaroa, Jr., Industry Member, Chairperson
Stuart Lau, Public Member, Vice-Chairperson
Kelvin Kohatsu, Public Member
Michael Tetsutani, Industry Member
Marie Weite, Public Member

Staff Present: Alan Taniguchi, Executive Officer
Christopher Leong, Esq., Deputy Attorney General ("DAG")
Mana Moriarty, Esq., Deputy Attorney General ("DAG")
Jessica T. Mullin, Secretary

Call to Order: There being a quorum present, Chair Figaroa called the meeting to order at 1:30 p.m.

Approval of the Meeting Minutes: It was moved by Mr. Lau, seconded by Mr. Tetsutani, and unanimously carried to approve the Board minutes of the November 15, 2018 meeting as circulated.

Additions to the Agenda: Mr. Taniguchi asked the Board for approval to add the following to the agenda:

Standard procedure for providing Board testimony during the 2019 Legislative Session.

It was motioned by Ms. Weite, seconded by Mr. Tetsutani, and unanimously carried to add this topic to the agenda.

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Executive
Officer's Report:

Officer Taniguchi reviewed the standard procedure for providing Board testimony, which requires a member of the Motor Vehicle Repair (MVR) Board to attend and give testimony at the Capitol's scheduled hearings, should bills arise pertaining to the MVR Board. The Board discussed which members are available to give testimony at future hearings.

Executive
Session:

At 1:47 p.m., it was moved by Mr. Tetsutani, seconded by Mr. Lau and unanimously carried for the Board to enter Executive Session in accordance with HRS, § 92-5(a)(1) and (4), "To consider and evaluate personal information relating to individuals applying for professional or vocational licenses cited in 26-9 or both;" and "To consult with the board's attorney on questions and issues pertaining to the board's powers, duties, privileges, immunities, and liabilities" to discuss the following agenda items:

a. A request from the Regulated Industries Complaint's Office (RICO) for an informal opinion from the Motor Vehicle Repair whether replacing and/or resetting an airbag would constitute the repair of motor vehicles.

b. Revising the Hawaii Administrative Rules

At 1:57 p.m. it was moved by Mr. Tetsutani, seconded by Mr. Figaroa and unanimously carried to move out of Executive Session and return to the Board's regular order of business.

After discussion, the Board will defer the request from RICO regarding airbags until the next meeting. According to Sunshine Law HRS §92-7(d), this is an issue that impacts a significant number of people and must therefore be published on the agenda for the public to respond. The request from RICO came after the Board published its agenda for this meeting, so the request will be included on the next agenda.

After discussion, the Board agreed to start the revision process for the Hawaii Administrative Rules §16-87 to reflect the current climate for Motor Vehicle Repair Dealers and Mechanics.

Applications:

The Board discussed delegating to the Executive Officer the conditional power to approve/disapprove an applicant who has committed the crime of Driving Under the Influence (DUI). If an applicant has more than one DUI offense or has any other type of conviction, their application goes to the Board for approval.

There was insufficient information and documentation for the Board to review Benjamin Lenchanko's application. It was motioned by Mr. Figaroa, seconded by Ms. Weite, and unanimously carried to grant Officer Taniguchi conditional power to approve/disapprove Mr. Lenchanko's mechanic's application.

Licensing:

a. Ratifications

Upon a motion by Mr. Tetsutani, seconded by Mr. Lau, it was voted and unanimously carried to approve the following ratification lists:

RD 4413 Kad Inc
RD 4414 Harmer Radio and Electronics Inc
RD 4415 Automotive Solution HI LLC
RD 4416 Getzinger Motor Works LLC
RD 4417 Aloha Transmission & Auto Repair LLC
RD 4419 Premier Enterprise Sales and Service Inc
RD 4420 Costa's Auto Repair LLC
RD 4421 Nex Gen Diesel LLC
RD 4422 Todd F. Naidl

MC 8967 Davenson D. Kamelo
MC 8968 Robert J. Bourque Jr.
MC 8969 Nestor P. Sadomas
MC 8970 Daniel Hill
MC 8971 Todd F. Naidl
MC 8973 Matthew D. Nelson
MC 8974 Christopher R. Kibler
MC 8975 Gilbert R. Vilorio
MC 8976 Keith E. Quitevis-Nono
MC 8977 Ivan C. Lopez
MC 8978 Rexon L. Cabradilla
MC 8979 Jae H. Son

Next Meeting:

Thursday, March 21, 2019
1:30 p.m.
Queen Liliuokalani Conference Room
King Kalakaua Building, 1st Floor
335 Merchant Street
Honolulu, Hawaii 96813

Adjournment:

The meeting was adjourned at 2:15 p.m.

Taken and recorded by:

/s/ Jessica T. Mullin

Jessica T. Mullin, Secretary

Reviewed and approved by:

/s/ Alan Taniguchi

Alan Taniguchi, Executive Officer

AT:jtm

02/11/19

☒ Minutes approved as is.

☐ Minutes approved with changes. See Minutes of _____.