



## Regulated Industries Complaints Office

235 S. Beretania Street, Ninth Floor

Honolulu, Hawaii 96813

[cca.hawaii.gov/rico](http://cca.hawaii.gov/rico)

# Automobile Repairs

## Don't get fixed...Fix the problem!

Getting your car properly repaired can be a nightmare! But it doesn't have to be, *IF* you know your rights. You do not have to be an expert auto mechanic to protect yourself. The following information is based on Chapter 437B, Hawaii Revised Statutes, which regulates the licensing of motor vehicle repair dealers, mechanics, and apprentices.

Automobile repair dealers and mechanics are required to have licenses to perform any repair which involves maintenance of and modifications and repairs of a motor vehicle.

Motor vehicle repairs *DO NOT* include "tire repairs, changing tires, lubricating vehicles, installing light bulbs, batteries, windshield wiper blades, and other minor accessories, cleaning, adjusting, and replacing spark plugs, replacing oil and air filters, and other minor services...." (Section 437B-1, Hawaii Revised Statutes)

**MOTOR VEHICLES.** A motor vehicle includes any passenger car, truck, truck tractor, motorcycle, or motor scooter. Mopeds are not considered a motor vehicle.

**GET A WRITTEN ESTIMATE.** *BEFORE* you authorize any repair of your car, be sure to obtain a written estimate of the work to be done. You may be charged a "reasonable fee" for this estimate. The final charge for repairs cannot exceed 15% of the estimated price, if the estimate is less than \$100, or 10% of the estimated price, if the estimate is more than \$100.

ALL WORK done by the repair dealer, including warranty work, must be noted on an invoice or repair work order, including any parts supplied for the repairs.

If crash, used, rebuilt or reconditioned parts are used, this must be stated on the invoice. You will receive a copy of the invoice or work order. The repair dealer will keep a record of all work orders for at least two (2) years.

**RETURN OF REPLACED PARTS.** If you want replaced parts to be returned to you by the repair dealer or mechanic, you must make the request *AT THE TIME THE WORK ORDER IS TAKEN*.

Certain parts may be exempt from this requirement due to size, weight, or other similar factors, and may include such parts as the repair dealer, mechanic, or apprentice is required to return to the manufacturer or distributor under a warranty agreement.

A motor vehicle repair dealer does not have to return the following parts:

1. Transmission
2. Differential
3. Engine Block

**AUTO BODY REPAIRS, AUTO PAINTING, etc.** Auto Body shops, auto painting shops, auto glass shops, auto machine shops, radiator shops or other specialty shops perform work which is *NOT* considered an automobile repair. However, if any of these shops perform work on a motor vehicle involving the removal, replacement, and repairing or modification, or both, of any component of the car's engine, automatic transmission, brakes, electrical systems, front and rear suspensions, air conditioner, and standard transmission and rear axle, they must obtain a motor vehicle repair dealer license.

**SALVAGED, WRECKED OR DISMANTLED VEHICLES.** A motor vehicle repair dealer who works on restoring or rebuilding salvaged, wrecked, or dismantled vehicles must obtain a performance bond of not less than \$25,000.

If a vehicle is a salvaged vehicle, this should be noted on the Certificate of Registration of the vehicle.

**MOBILE REPAIR DEALERS.** A motor vehicle repair dealer may have a mobile repair facility, but it must be registered with the Motor Vehicle Repair Industry Board.

**REGISTERED MECHANICS.** At least 50% of the mechanics employed by a dealer on a full-time basis must be registered-certified mechanics.

This may mean that the person who does the actual work on your car may not be required to be licensed. The work this person performs must be supervised by the licensed mechanic(s) on the premises.

**ADVERTISING.** The license number of the repair dealer must be included in any advertising by the repair dealer. An advertisement includes, but is not limited to, any card, sign, device, marking on or in any building or structure, newspaper or magazine, or directory under the listing of motor vehicle repair dealer, or broadcasting by airwave transmission which relates to the motor vehicle repair business.

**COMPLAINTS ABOUT THE REPAIR OF YOUR CAR.** If you have a complaint about the repair of your car, you may file a written complaint with the Consumer Resource Center, Regulated Industries Complaints Office, Department of Commerce and Consumer Affairs. Call **(808) 587-4272** to request a complaint form or online at **[cca.hawaii.gov/rico/file-a-complaint](http://cca.hawaii.gov/rico/file-a-complaint)**. When filing your complaint, enclose *COPIES* of the work order for the repair(s), proof of payment, or any other documentation pertinent to your complaint.

## **RESOURCES**

The Department of Commerce and Consumer Affairs (DCCA), and its Regulated Industries Complaints Office (RICO), offer tools, tips, and services you can use to check out an individual or business. Information is available by calling **(808) 587-4272** or online at **[cca.hawaii.gov/businesscheck](http://cca.hawaii.gov/businesscheck)**.

For information about filing a complaint or to report unlicensed activity, call RICO's Consumer Resource Center at **(808) 587-4272** or visit us online at **[cca.hawaii.gov/rico](http://cca.hawaii.gov/rico)**.

To call Oahu-RICO, dial the following toll free numbers: Kauai 274-3141, extension 74272; Maui 984-2400, extension 74272; Big Island 974-4000, extension 74272; Molokai and Lanai 1-800-468-4644, extension 74272, followed by the # sign.

RICO is the enforcement arm for over 45 professional boards, commissions, and programs that are administratively attached to the Department of Commerce and Consumer Affairs. RICO receives complaints, conducts investigations, and prosecutes licensing law violations. RICO also prosecutes unlicensed activity through the issuance of citations and by filing civil lawsuits in the Circuit Courts. RICO works to resolve consumer complaints where appropriate and provides consumer education about various issues relating to licensing and consumer protection. RICO also administers the **State Certified Arbitration Program (SCAP)** for "lemon" motor vehicle claims.

*This brochure is for informational purposes only and not intended for the purposes of providing legal advice. Information provided is subject to change. Printed material can be made available for individuals with special needs in Braille, large print or audio tape. Submit requests to the RICO Complaints and Enforcement Officer at 586-2666.*