



EXECUTIVE CHAMBERS  
HONOLULU

DAVID Y. IGE  
GOVERNOR

June 4, 2018

**GOV. MSG. NO. 1123**

The Honorable Ronald D. Kouchi,  
President  
and Members of the Senate  
Twenty-Ninth State Legislature  
State Capitol, Room 409  
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki,  
Speaker and Members of the  
House of Representatives  
Twenty-Ninth State Legislature  
State Capitol, Room 431  
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

This is to inform you that on June 4, 2018, the following bill was signed into law:

HB2349 HD1 SD2

RELATING TO CITATIONS FOR MOTOR  
VEHICLE REPAIR VIOLATIONS  
**ACT 023 (18)**

Sincerely,

DAVID Y. IGE  
Governor, State of Hawai'i

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## A BILL FOR AN ACT

RELATING TO CITATIONS FOR MOTOR VEHICLE REPAIR VIOLATIONS.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1 SECTION 1. Chapter 437B, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:

4 "§437B- Citation for licensee violations; fines. (a)

5 In addition to any other remedy available under this chapter,  
6 the department may issue a citation to any person who holds a  
7 motor vehicle repair dealer or motor vehicle mechanic license  
8 for any of the following violations of this chapter or the rules  
9 adopted pursuant to this chapter and chapter 91:

- 10 (1) Failure of a motor vehicle repair dealer to  
11 conspicuously display the dealer's licensure  
12 certificate or certification certificate in the  
13 dealer's place of business;  
14 (2) Failure of a motor vehicle repair dealer to  
15 conspicuously place a board-approved sign in all the  
16 dealer's motor vehicle repair locations; or



- 1        (3) Failure of a motor vehicle mechanic to carry or have  
2        readily available for inspection the pocket card  
3        provided to the motor vehicle mechanic by the  
4        department.
- 5        (b) Each citation:
- 6        (1) Shall be in writing and describe the basis of the  
7        citation, including the specific statute or rule  
8        violated;
- 9        (2) May contain an order of abatement and the assessment  
10       of a fine in the amount of \$250 for each violation by  
11       a motor vehicle repair dealer and a fine in the amount  
12       of \$100 for each violation by a motor vehicle  
13       mechanic;
- 14       (3) Shall be served on the licensee by personal service;  
15       and
- 16       (4) Shall inform the licensee that the licensee may submit  
17       a written request to the board or its designee for a  
18       hearing to contest the citation, within twenty  
19       calendar days from the service of the citation.
- 20       (c) If the licensee timely submits a written request to  
21       the board or its designee for a hearing, the board may designate



1 a hearings officer to conduct the hearing in accordance with  
2 chapter 91.

3 (d) If the licensee does not timely submit a written  
4 request to the board or its designee for a hearing, the citation  
5 shall be deemed a final order of the board.

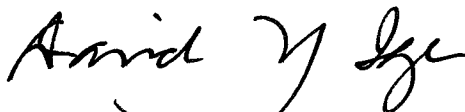
6 (e) Failure of a licensee to pay any assessed fine within  
7 thirty calendar days, unless the licensee contests the citation,  
8 may result in further disciplinary action taken by the board."

9 SECTION 2. This Act does not affect rights and duties that  
10 matured, penalties that were incurred, and proceedings that were  
11 begun before its effective date.

12 SECTION 3. New statutory material is underscored.

13 SECTION 4. This Act shall take effect on July 1, 2018.

APPROVED this 04 day of JUN, 2018



GOVERNOR OF THE STATE OF HAWAII



HB No. 2349, HD 1, SD 2

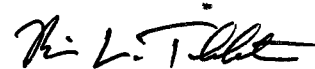
THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: May 3, 2018  
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Twenty-Ninth Legislature of the State of Hawaii, Regular Session of 2018.



Scott K. Saiki  
Speaker  
House of Representatives





Brian L. Takeshita  
Chief Clerk  
House of Representatives

**THE SENATE OF THE STATE OF HAWAI'I**

Date: April 10, 2018  
Honolulu, Hawai'i 96813

We hereby certify that the foregoing Bill this day passed Third Reading in the Senate of the Twenty-ninth Legislature of the State of Hawai'i, Regular Session of 2018.

  
President of the Senate

  
Clerk of the Senate