
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.



Report Title:

Citations; Motor Vehicle Repair Dealers; Motor Vehicle
Mechanics; Violations; Fines

Description:

Authorizes the issuance of a citation for specific violations of
the motor vehicle repair laws and rules by licensees. Sets
forth a process for licensees to contest the citation and
provides for the assessment of fines for each violation. (SD2)

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not legislation or evidence of legislative intent.*

