

A Bill for an Act Relating to the Motor Vehicle Mechanic Certification Program.
Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 437B-4, Hawaii Revised Statutes, is amended to read as follows:

“**§437B-4 Powers and duties of board.** In addition to any other powers and duties authorized by law, the board, in accordance with this chapter and chapter 91 shall:

- (1) Establish such qualifications for the licensing of motor vehicle repair dealers and motor vehicle mechanics as may be necessary for the welfare of the public and the motor vehicle repair industry; provided that no ~~[person]~~ individual shall be licensed as a motor vehicle mechanic without first receiving certification as provided by this chapter;
- (2) Inquire into the practices and policies of the motor vehicle repair industry and make rules with respect to such practices and policies as may be deemed important and necessary by the board for the welfare of the public and the motor vehicle repair industry;
- (3) ~~[Contract and cooperate with the University of Hawaii in developing and administering]~~ Develop and administer the certification program provided for in this chapter;
- (4) Adopt, amend, and repeal such rules not inconsistent with this chapter, as the board deems appropriate for effectuating the purpose of this chapter and to ensure the welfare of the public;
- (5) Adopt rules pursuant to chapter 91 necessary to implement the provisions of this chapter relating to CFCs; and
- (6) Enforce this chapter and rules adopted pursuant thereto.”

SECTION 2. Section 437B-23, Hawaii Revised Statutes, is amended to read as follows:

“**§437B-23 Certification program.** (a) ~~[The board shall contract with the University of Hawaii to develop and administer a certification program for motor vehicle mechanics.]~~ The board, at its sole discretion, may enter into written agreements with entities, educational institutions, and other organizations to develop and administer a certification program for motor vehicle mechanics that will provide education and training in order to ensure that the mechanics' knowledge, skills, and abilities are current with industry standards. The entities, educational institutions, and other organizations shall have the range of expertise, knowledge, and structure to provide instruction, information, guidance, and services to assist mechanics in obtaining necessary competencies to engage in motor vehicle repairs in order to protect consumers. Alternatively, the board may accept certificates from a national certification program approved by the board without the need to contract with the organization that administers the national certification program.

(b) The certification program shall provide for issuing a certificate to mechanics generally skilled in the repair of motor vehicles and to mechanics who specialize in certain areas of motor vehicle repair. ~~[A person]~~ An individual may be certified as being generally skilled in the repair of motor vehicles, specially skilled in one or more areas of motor vehicle repair, or both ~~[generally and~~

~~specialty skilled~~. Each area shall be separately tested and certified. The program shall provide for apprenticeship leading to certification as a mechanic. The program may be an apprenticeship program registered with the department of labor and industrial relations in accordance with ~~chapter 372~~ applicable governing law. Nothing in this section or chapter shall prevent a student in a course leading to certification from repairing motor vehicles so long as the student is supervised by a mechanic~~[-]~~ who is licensed in accordance with this chapter.

(c) The certification test shall be approved by the board and, if written, shall be given orally at the request of the ~~person~~ individual being tested. Each application for certification shall be accompanied by a nonrefundable examination fee as provided in rules adopted by the department pursuant to chapter 91.

(d) There shall be no limit on the number of times ~~a person~~ an individual may apply for certification; provided that ~~any person failing~~ an applicant who does not pass the examination ~~must~~ shall wait at least thirty calendar days before ~~retaking~~ being eligible to retake the test.

(e) All ~~persons~~ individuals who take and pass the certification test shall be awarded a certificate which shall be posted in a prominent place at ~~their~~ the individual's place of business or employment and a patch which may be worn on clothing apparel. The ~~University of Hawaii~~ entity, educational institution, or other organization who has entered into a written agreement with the board or been approved by the board pursuant to subsection (a) shall design and procure the certificate and patch.”

SECTION 3. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 4. This Act shall take effect upon its approval.

(Approved July 7, 2014.)