



EXECUTIVE CHAMBERS  
HONOLULU

NEIL ABERCROMBIE  
GOVERNOR

July 7, 2014

**GOV. MSG. NO. 1335**

The Honorable Donna Mercado Kim,  
President  
and Members of the Senate  
Twenty-Seventh State Legislature  
State Capitol, Room 409  
Honolulu, Hawaii 96813

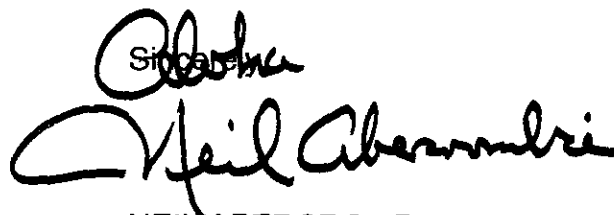
The Honorable Joseph M. Souki,  
Speaker and Members of the  
House of Representatives  
Twenty-Seventh State Legislature  
State Capitol, Room 431  
Honolulu, Hawaii 96813

Dear President Kim, Speaker Souki, and Members of the Legislature:

This is to inform you that on July 7, 2014, the following bill was signed into law:

HB2273 SD2 CD1

RELATING TO THE MOTOR VEHICLE  
MECHANIC CERTIFICATION PROGRAM  
**ACT 225 (14)**

 Signed  
Neil Abercrombie

NEIL ABERCROMBIE  
Governor, State of Hawaii

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## A BILL FOR AN ACT

RELATING TO THE MOTOR VEHICLE MECHANIC CERTIFICATION PROGRAM.

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

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

3           **"§437B-4 Powers and duties of board.** In addition to any  
4 other powers and duties authorized by law, the board, in  
5 accordance with this chapter and chapter 91 shall:

6           (1) Establish such qualifications for the licensing of  
7 motor vehicle repair dealers and motor vehicle  
8 mechanics as may be necessary for the welfare of the  
9 public and the motor vehicle repair industry; provided  
10 that no [~~person~~] individual shall be licensed as a  
11 motor vehicle mechanic without first receiving  
12 certification as provided by this chapter;

13           (2) Inquire into the practices and policies of the motor  
14 vehicle repair industry and make rules with respect to  
15 such practices and policies as may be deemed important  
16 and necessary by the board for the welfare of the  
17 public and the motor vehicle repair industry;



- 1           (3) [~~Contract and cooperate with the University of Hawaii~~  
2           ~~in developing and administering]~~ Develop and  
3           administer the certification program provided for in  
4           this chapter;
- 5           (4) Adopt, amend, and repeal such rules not inconsistent  
6           with this chapter, as the board deems appropriate for  
7           effectuating the purpose of this chapter and to ensure  
8           the welfare of the public;
- 9           (5) Adopt rules pursuant to chapter 91 necessary to  
10           implement the provisions of this chapter relating to  
11           CFCs; and
- 12           (6) Enforce this chapter and rules adopted pursuant  
13           thereto."

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

16           "**§437B-23 Certification program.** (a) [~~The board shall~~  
17           ~~contract with the University of Hawaii to develop and administer~~  
18           ~~a certification program for motor vehicle mechanics.]~~ The board,  
19           at its sole discretion, may enter into written agreements with  
20           entities, educational institutions, and other organizations to  
21           develop and administer a certification program for motor vehicle  
22           mechanics that will provide education and training in order to



1 ensure that the mechanics' knowledge, skills, and abilities are  
2 current with industry standards. The entities, educational  
3 institutions, and other organizations shall have the range of  
4 expertise, knowledge, and structure to provide instruction,  
5 information, guidance, and services to assist mechanics in  
6 obtaining necessary competencies to engage in motor vehicle  
7 repairs in order to protect consumers. Alternatively, the board  
8 may accept certificates from a national certification program  
9 approved by the board without the need to contract with the  
10 organization that administers the national certification  
11 program.

12 (b) The certification program shall provide for issuing a  
13 certificate to mechanics generally skilled in the repair of  
14 motor vehicles and to mechanics who specialize in certain areas  
15 of motor vehicle repair. [~~A person~~] An individual may be  
16 certified as being generally skilled in the repair of motor  
17 vehicles, specially skilled in one or more areas of motor  
18 vehicle repair, or both [~~generally and specially skilled~~]. Each  
19 area shall be separately tested and certified. The program  
20 shall provide for apprenticeship leading to certification as a  
21 mechanic. The program may be an apprenticeship program  
22 registered with the department of labor and industrial relations



1 in accordance with [~~chapter 372~~] applicable governing law.  
2 Nothing in this section or chapter shall prevent a student in a  
3 course leading to certification from repairing motor vehicles so  
4 long as the student is supervised by a mechanic[~~er~~] who is  
5 licensed in accordance with this chapter.

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

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

17 (e) All [~~persons~~] individuals who take and pass the  
18 certification test shall be awarded a certificate which shall be  
19 posted in a prominent place at [~~their~~] the individual's place of  
20 business or employment and a patch which may be worn on clothing  
21 apparel. The [~~University of Hawaii~~] entity, educational  
22 institution, or other organization who has entered into a



1 written agreement with the board or been approved by the board  
2 pursuant to subsection (a) shall design and procure the  
3 certificate and patch."

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

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

APPROVED this 7 day of JUL , 2014



GOVERNOR OF THE STATE OF HAWAII

