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**PRESENTATION OF
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS
REGULATED INDUSTRIES COMPLAINTS OFFICE**

**TO THE HOUSE COMMITTEE ON
INTRASTATE COMMERCE**

**TWENTY-NINTH LEGISLATURE
Regular Session of 2018**

**Wednesday, February 14, 2018
9:00 a.m.**

**TESTIMONY ON HOUSE BILL NO. 2349, RELATING TO CITATIONS FOR MOTOR
VEHICLE REPAIR VIOLATIONS.**

**TO THE HONORABLE TAKASHI OHNO, CHAIR, AND MEMBERS OF THE
COMMITTEE:**

The Department of Commerce and Consumer Affairs (“Department”) appreciates the opportunity to testify on H.B. 2349, Relating to Citations for Motor Vehicle Repair Violations. My name is Daria Loy-Goto, and I am the Complaints and Enforcement Officer for the Department’s Regulated Industries Complaints Office (“RICO”). The Department strongly supports this administration bill, which is a companion to S.B. 2776.

SECTION 1 of this bill authorizes RICO to issue citations to motor vehicle repair licensees for the following three technical violations of the motor vehicle repair laws: (1) failure by a repair dealer to conspicuously display a registration or certification certificate; (2) failure by a repair dealer to conspicuously post required signage

containing contact information for the Motor Vehicle Repair Industry Board; and (3) failure by a mechanic to carry or have readily available for inspection the pocket card issued by the Department indicating proof of registration.

The citation process requires personal service of the citation upon the licensee and affords the licensee an opportunity to request a hearing to contest the citation within twenty calendar days from the service of the citation. This bill also provides that failure to pay any assessed fine within thirty calendar days, unless the licensee contests the citation, may subject the licensee to further disciplinary action.

To address issuing citations to licensees, RICO submitted a legislative proposal in 2016, S.B. 2863, authorizing it to issue citations to massage therapy licensees for technical violations of the massage therapy laws. The bill was enacted as Act 146 and has resulted in a more efficient and effective use of RICO resources.

During the 2017 legislative session, RICO proposed a similar bill, S.B. 947, to allow it to issue citations to cosmetology licensees. Pursuant to Act 148, RICO is now able to cite these licensees for technical violations of beauty culture laws.

These recent citation laws have positively impacted RICO's efforts to curb violations by licensees, ensure swift compliance, and more effectively allocate its resources. Similarly, the enforcement mechanisms in H.B. 2349 will significantly enhance RICO's ability to address technical violations of the motor vehicle repair licensing laws by licensees.

RICO notes H.B. 2349 is the companion bill to the Department's administration bill, S.B. 2776, which the Committee on Commerce, Consumer Protection, and Health heard and passed unamended.

Thank you for the opportunity to testify in strong support of this administration bill, and we ask for your favorable consideration.

**PRESENTATION OF THE
MOTOR VEHICLE REPAIR INDUSTRY BOARD**

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COMMITTEE:

My name is Marie Weite, and I am the Chairperson of the Motor Vehicle Repair Industry Repair ("Board"). Thank you for the opportunity to testify on H.B. 2349, which is a companion to S.B. 2776. The Board strongly supports this measure.

The Board concurs with the issuance of a citation for specific violations of motor vehicle repair laws by licensees, and the process set forth for licensees to contest the citation and for the assessment of fines for each violation.

Thank you for the opportunity to testify on H.B. 2349.