

**ACT 128**

S.B. NO. 21

A Bill for an Act Relating to Regulation of Motor Vehicles Repairs.

*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 other powers and duties established by this chapter, the board shall, in accordance with this chapter and chapter 91;

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- (1) Establish such qualifications for the registration 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 shall be registered 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 such 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 [state director of vocational education] University of Hawaii in developing and administering the certification program provided for in this chapter.
- (4) Make, amend, and repeal such rules not inconsistent with this chapter, as the board deems appropriate for effectuating the purpose of this chapter and to insure the welfare of the public.
- (5) Enforce this chapter and rules adopted pursuant thereto.”

SECTION 2. Section 437B-23, Hawaii Revised Statutes, is amended by amending subsections (c), (d), and (e) to read as follows:

“(c) The certification test shall [include both a written test and a performance test; provided that the written test shall be given orally upon the request of the person being tested.] be approved by the board and if written, shall be given orally at the request of the person 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) [The certification program shall be implemented prior to January 1, 1977.] There shall be no limit on the number of times a person may apply for certification; provided that any person failing the examination must wait thirty days before retaking the test.

(e) All persons who take and pass the certification test shall be awarded a certificate which shall be posted in a prominent place at their place of business or employment and a patch which may be worn on clothing apparel. The [office of the director of vocational education] University of Hawaii shall design and procure the certificate and patch.”

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 Statutory material to be repealed is bracketed.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

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

(Approved May 27, 1988.)