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# A BILL FOR AN ACT

RELATING TO TOWING.

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

1           SECTION 1. Section 290-11, Hawaii Revised Statutes, is  
2 amended by amending subsection (f) to read as follows:  
3           "(f) Notwithstanding any law or ordinance to the contrary,  
4 including subsection (g), and section 46-20.5, any towing  
5 company engaged in towing in a county with a population greater  
6 than five hundred thousand [~~shall not be entitled to any~~  
7 ~~overtime charge under subsection (b) (1) if~~] shall offer towing  
8 services to consumers [~~are not offered~~] twenty-four hours per  
9 day every day of the week, which shall include but not be  
10 limited to the release of vehicles kept in storage to a  
11 registered owner, legal owner, insurer, or a designated  
12 representative [~~provided that a towing company shall file their~~  
13 ~~hours of operation with the police department in a county with a~~  
14 ~~population greater than five hundred thousand]~~."  
15           SECTION 2. Section 291C-135, Hawaii Revised Statutes, is  
16 amended to read as follows:



1           "§291C-135 Tow trucks; signage and insurance requirements.

2 Notwithstanding any other law to the contrary, the registered  
3 owner or lessee of a tow truck shall:

4           (1) Permanently affix on each door of the truck a sign  
5               with the name and telephone number of the tow  
6               business. The letters and numbers used in the sign  
7               shall be no less than two inches in height; and

8           (2) Maintain insurance [~~coverage sufficient~~] in the  
9               following amounts: bodily injury of not less than  
10              \$500,000; property damage of not less than \$200,000;  
11              on-hook coverage of not less than \$175,000; or a  
12              combined single limit of liability of not less than  
13              \$1,000,000, to protect owners of towed vehicles in the  
14              event of vehicle loss or damage due to towing. If a  
15              tow operator fails to comply with the insurance  
16              requirements of this section, no charges, including  
17              storage charges, may be collected by the tow operator  
18              as a result of the tow or as a condition of the  
19              release of the towed vehicle. Any person, including  
20              the registered owner, lien holder, or insurer of the  
21              vehicle, who has been injured by the tow operator's  
22              failure to comply with this section is entitled to sue



1           for damages sustained. If a judgment is obtained by  
2           the plaintiff, the court shall award the plaintiff a  
3           sum of not less than \$1,000 or threefold damages  
4           sustained by the plaintiff, whichever sum is greater,  
5           and reasonable attorney's fees and costs.

6 This section shall not apply to a county that has adopted  
7 ordinances regulating towing operations."

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

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



**Report Title:**

Motor Vehicle Towing; Hours of Operation; Insurance

**Description:**

Requires towing companies to be in operation twenty-four hours per day, 7 days a week in a county with a population greater than 500,000 persons. Requires tow companies open for twenty-four hours to offer services that include the release of vehicles in storage. Requires tow operators to maintain, at minimum, \$500,000 bodily injury coverage, \$200,000 property damage insurance, \$175,000 hook coverage insurance, or a combined single limit of liability insurance coverage of \$1,000,000. (HB1978 HD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

