

JAN 25 2012

A BILL FOR AN ACT

RELATING TO TOWING.

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

1 SECTION 1. Section 291C-135, Hawaii Revised Statutes, is
2 amended to read as follows:

3 **"§291C-135 Tow trucks; signage and insurance requirements.**

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

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

10 (2) Maintain insurance in the following amounts:

11 (A) Bodily injury of not less than \$500,000;

12 (B) Property damage of not less than \$200,000; and

13 (C) On-hook coverage of not less than \$175,000; or

14 (D) A combined single limit of liability of not less
15 than \$1,000,000[~~7~~];

16 to protect owners of towed vehicles in the event of
17 vehicle loss or damage due to towing or bodily injury

18 in the course of towing[~~-~~]; provided that a registered



1 owner or lessee of a tow truck that performs towing
2 only when requested by the owner or driver of a
3 vehicle shall not be required to comply with
4 subparagraphs (A) through (D), but shall maintain
5 insurance coverage sufficient to protect owners of
6 towed vehicles in the event of vehicle loss or damage
7 due to towing or bodily injury in the course of
8 towing. If a tow operator fails to comply with the
9 insurance requirements of this section, no charges,
10 including storage charges, may be collected by the tow
11 operator as a result of the tow or as a condition of
12 the release of the towed vehicle. Any person,
13 including the registered owner, lien holder, or
14 insurer of the vehicle, who has been injured by the
15 tow operator's failure to comply with this section is
16 entitled to sue for damages sustained. If a judgment
17 is obtained by the plaintiff, the court shall award
18 the plaintiff a sum of not less than \$1,000 or
19 threefold damages sustained by the plaintiff,
20 whichever sum is greater, and reasonable attorney's
21 fees and costs.



S.B. NO. 2920

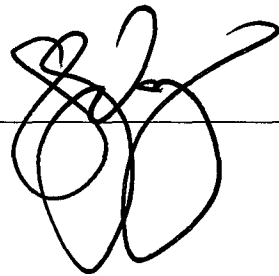
1 This section shall not apply to a county that has adopted
2 ordinances regulating towing operations."

3 SECTION 2. Statutory material to be repealed is bracketed
4 and stricken. New statutory material is underscored.

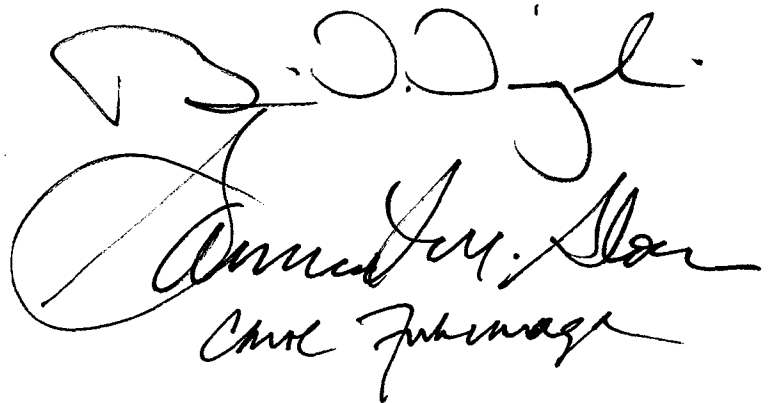
5 SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY: _____



Clarence V. Reichman



Annunzio S. Star
Chris Zukowski



S.B. NO. 2920

Report Title:

Towing; Insurance Requirements; Consensual Tow Provider

Description:

Exempts from mandatory insurance minimum requirements the owner or lessee of a tow truck that provides only consensual towing.

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

