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# A BILL FOR AN ACT

RELATING TO MOTOR VEHICLE TOWING.

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

1           SECTION 1. Chapter 291C, Hawaii Revised Statutes, is  
2 amended by adding a new section to part XII to be appropriately  
3 designated and to read as follows:  
4           "§291C-       Towing for an accident; written estimate;  
5 permissible charges. (a) In the event that a motor vehicle is  
6 disabled due to an accident and the motor vehicle owner or  
7 operator is present at the time of the tow, the towing company  
8 or the owner or operator of the tow truck shall provide a  
9 written and itemized estimate of all costs for services that are  
10 to be performed prior to the motor vehicle being attached to the  
11 tow truck. The estimate shall have the following information:  
12           (1) Name, physical address, telephone number, and motor  
13           carrier permit number of the towing company;  
14           (2) License plate of the tow truck performing the tow;  
15           (3) Written notice advising the owner or operator that the  
16           tow truck is not operating as a police-dispatched tow;



1       (4) First and last name of the tow truck operator and, if  
2       different, first and last name of the person from the  
3       towing company giving the estimate;

4       (5) Descriptions and costs for all services, including but  
5       not limited to charges for labor, specialty equipment,  
6       mileage from the scene of the accident to the storage  
7       lot or a repair facility, accident scene clean-up, and  
8       storage fees expressed as a twenty-four-hour rate; and

9       (6) The difference between rates and costs being charged  
10       by the towing company compared to:

11       (A) The contract rate for police-dispatched tows for  
12       that county; or

13       (B) In the absence of a contract rate for police-  
14       dispatched tows in the county, the charges  
15       identified in section 290-11(b).

16       The written estimate shall be signed by the motor vehicle owner  
17       or operator and a copy of the written estimate shall be given to  
18       the signee.

19       (b) This section shall not apply to towing companies  
20       operating under a contract with a police department or an  
21       automobile club. For the purposes of this subsection:



1 "Automobile club" means a legal entity that, in consideration of  
2 dues, assessments, or periodic payments of money, promises its  
3 members or subscribers to assist them in matters relating to  
4 motor travel or the operation, use, or maintenance of a motor  
5 vehicle by supplying services that may include, but are not  
6 limited to, towing service and emergency road service."

7 SECTION 2. New statutory material is underscored.

8 SECTION 3. This Act shall take effect on July 1, 3000.



**Report Title:**

Motor Vehicles; Towing; Written Estimate

**Description:**

Requires a tow truck company not operating under a police department or automobile club contract to provide a written estimate for services prior to the attachment of a motor vehicle to the tow truck when towing a motor vehicle from an accident.  
(HB405 HD1)

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