

ACT 70

H.B. NO. 336

A Bill for an Act Relating to Liability of Innkeepers.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. Sections 507-9 and 507-10, Hawaii Revised Statutes, are amended to read as follows:

**“Sec. 507-9 Safe for valuables; limitation of liability for deposited valuables.** Whenever the keeper of any hotel provides a safe or vault in the office thereof, for the safekeeping of any money, jewels, bank notes, precious stones,

railroad or steamship tickets, negotiable or valuable papers, or ornaments belonging to the guests of, or travelers in, the hotel, and posts a notice stating the fact that a safe or vault is provided in which valuables may be deposited, in the room or rooms occupied by the guests or travelers in a conspicuous position, if any guest or traveler neglects to deliver valuables to the person in charge of the safe, the keeper of the hotel shall not be liable in any sum for any loss of valuables sustained by the guest or traveler by theft or otherwise. If the guest or traveler delivers valuables to the person in charge of the office for deposit in the safe, the keeper shall not be liable for any loss thereof sustained by the guest or traveler, by theft or otherwise, in any sum exceeding \$500; provided that the keeper's liability is limited to \$500 only if he gives a receipt for the valuables on a form which states, in type large enough to be clearly noticeable, that the keeper is not liable for any loss exceeding \$500 except by special agreement in writing in which the keeper agrees to accept liability for losses in excess of \$500. The keeper may accept liability for losses in excess of \$500 by special agreement in writing between a guest or traveler and the keeper or his duly authorized representative.

**Sec. 507-10 Hotelkeeper's liability for personal property.** No keeper of any hotel shall be liable in any sum to any guest of, or traveler in, the hotel for the loss of wearing apparel, goods, merchandise, or other personal property not mentioned in section 507-9, unless it appears that the loss occurred through the fault or negligence of the keeper. Nor shall any keeper be liable in any event in any sum for the loss of any article or articles of wearing apparel, cane, umbrella, satchel, valise, bag, box, bundle, or other chattel belonging to any guest of, or traveler in, any hotel, and not within a room or rooms assigned to him, unless the same is specially intrusted to the care and custody of the keeper or his duly authorized agent, and if so specially intrusted with any such article belonging to the guest or traveler, the keeper shall not be liable for the loss of the same in any sum exceeding \$500 except that his liability may be in excess of \$500 by special agreement in writing with the keeper or his duly authorized representative."

SECTION 2. Statutory material to be repealed is bracketed. New material is underscored. In printing this Act, the revisor of statutes need not include the brackets, the bracketed material, or the underscoring.\*

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

(Approved May 10, 1975.)

\*Edited accordingly.