
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;



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- 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) Charges for all services shall not exceed the contract
20 rate for police-dispatched tows when:



1 (1) No written estimate is provided as required by
2 subsection (a); or

3 (2) The owner or operator of the motor vehicle is not
4 present when the motor vehicle is towed from the motor
5 vehicle accident scene.

6 (c) A towing company that charges a rate more than is
7 authorized by this section shall not be entitled to collect any
8 charges for any services and shall release the vehicle upon
9 request to the owner or operator without charge for any
10 services.

11 (d) This section shall not apply to towing companies
12 operating under a contract with a police department."

13 SECTION 2. New statutory material is underscored.

14 SECTION 3. This Act shall take effect on August 1, 2019.

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INTRODUCED BY:

Jakob Om
Ed 4/4

JAN 18 2019



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Report Title:

Motor Vehicles; Towing; Written Estimate

Description:

Requires a tow truck company not operating under a police department 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. Specifies the fees that may be charged for services.

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