

JAN 20 2010

A BILL FOR AN ACT

RELATING TO RENTAL MOTOR VEHICLES.

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

SECTION 1. The legislature finds that lessors of rental motor vehicles suffer significant losses due to the failure of rental car lessees to return the leased vehicle to the lessor. The legislature further finds that the state sheriff receives a significant amount of reports concerning cases of failure to return a rented motor vehicle, inasmuch as the state sheriff has jurisdiction over the security of the airports.

The purpose of this Act is to establish procedures for the reporting of rental motor vehicles that have not been returned to the lessor of the rental motor vehicle at the end of the specified return date in the rental agreement.

SECTION 2. Chapter 437D, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

"§437D- Failure to return rental motor vehicle; report to police or state sheriff. (a) A lessor may report as a theft under part IV of chapter 708 a failure by the lessee to return a



1 rental motor vehicle with seven days after the time specified in
2 the rental agreement or other date mutually agreed upon by all
3 parties to the rental agreement. The report shall be made to
4 the police in the county in which the rental motor vehicle was
5 rented or to the state sheriff; provided that the lessor has
6 documentation of having first attempted to contact the lessee
7 not less than three times over three consecutive days following
8 the day specified in the rental agreement as the return date.

9 (b) Upon receipt of a report by the police or state
10 sheriff pursuant to subsection (a), the police or state sheriff,
11 as applicable, shall proceed in accordance with respective
12 departmental procedures for report of a theft. The police or
13 state sheriff shall issue a receipt or facsimile to the lessor
14 if the police or sheriff removes the vehicle that is the subject
15 of the reported theft from the lessor's property."

16 SECTION 3. New statutory material is underscored.

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

18 INTRODUCED BY:

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Report Title:

Motor Vehicle Rental; Overdue Rentals; Report to Police; Sheriff

Description:

Allows the lessor of a rental motor vehicle to report as a theft to the police or state sheriff any vehicle not returned within seven days following the time for return as specified in the rental agreement.

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