
A BILL FOR AN ACT

RELATING TO UNATTENDED ANIMALS IN MOTOR VEHICLES.

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 be appropriately designated
3 and to read as follows:
4 "§291C- Unattended animals in motor vehicles;
5 limitation of liability. (a) Any person who observes an animal
6 left unattended in a motor vehicle and determines that the
7 unattended animal is in physical danger may use whatever means
8 are reasonably necessary to protect the animal and remove the
9 animal from the motor vehicle.
10 (b) A person who removes the animal from the motor vehicle
11 in accordance with subsection (a) shall not be civilly or
12 criminally liable for actions taken reasonably and in good faith
13 if the person:
14 (1) Determines that the motor vehicle is locked or there
15 is otherwise no reasonable manner for the animal to be
16 removed from the motor vehicle;



- 1 (2) Has a good faith belief that forcible entry into the
2 motor vehicle is necessary because the animal is in
3 imminent physical danger of suffering harm if the
4 animal is not immediately removed from the motor
5 vehicle, and, based upon the circumstances known to
6 the person at the time, the belief is a reasonable
7 one;
- 8 (3) Contacts county emergency services or an organization
9 contracted by a county for animal control before
10 forcibly entering the motor vehicle or soon
11 thereafter;
- 12 (4) Remains with the animal in a safe location, out of the
13 elements but reasonably close to the motor vehicle,
14 until a county animal control officer or other
15 emergency responder arrives;
- 16 (5) Uses no more force to enter the motor vehicle and
17 remove the animal from the motor vehicle than is
18 necessary under the circumstances; and
- 19 (6) Immediately turns the animal over to the county animal
20 control officer or other emergency responder who
21 responds to the scene.



1 (c) This section shall not prevent a county animal control
2 officer or other emergency responder from removing an animal
3 from a motor vehicle if the responder determines the unattended
4 animal is in physical danger.

5 (d) A county animal control officer or other emergency
6 responder who removes an animal from a motor vehicle, or who
7 takes possession of an animal that has been removed from a motor
8 vehicle, shall take the animal to an animal shelter or other
9 place of safekeeping or, if the responder deems necessary, to a
10 veterinary hospital for treatment. The owner of the animal
11 removed from a motor vehicle shall pay for expenses of
12 collecting, keeping, and feeding the animal if the animal is not
13 claimed within twenty-four hours of the animal being taken into
14 custody. The monies shall be paid to the county director of
15 finance to defray expenses of collecting, keeping, and feeding
16 the animal.

17 (e) A county animal control officer or other emergency
18 responder shall be authorized to take all steps that are
19 reasonably necessary for the removal of an animal from a motor
20 vehicle, including but not limited to breaking into the motor



1 vehicle, after a reasonable effort to locate the owner or other
2 person responsible.

3 (f) A county animal control officer or other emergency
4 responder who removes an animal from a motor vehicle shall, in a
5 secure and conspicuous location on or within the motor vehicle,
6 leave written notice bearing the responder's name and office,
7 and the address of the location where the animal can be claimed.
8 The animal may be claimed by the owner or owner's designee only
9 after payment of all charges that have accrued for the
10 maintenance, care, medical treatment, or impoundment of the
11 animal.

12 (g) The owner shall be guilty of animal desertion under
13 section 143-2.6 if the owner or owner's designee does not demand
14 or claim the animal within twenty-four hours of the animal being
15 taken into custody.

16 (h) This section shall apply upon highways and elsewhere
17 throughout the State.

18 (i) For purposes of this section, "animal control officer"
19 means the persons appointed and compensated by the counties
20 pursuant to section 143-7."

21 SECTION 3. New statutory material is underscored.



H.B. NO. 1715

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

2

INTRODUCED BY:

JAN 21 2022



H.B. NO. 1715

Report Title:

Unattended Animals in Motor Vehicles; Limitation of Civil and Criminal Liability; Good Samaritan

Description:

Limits civil and criminal liability for persons who remove unattended animals from motor vehicles that are in physical danger if the actions are reasonable, in good faith, and in accordance with other requirements.

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

