

JAN 17 2025

A BILL FOR AN ACT

RELATING TO TOWING.

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

1 SECTION 1. Section 290-11, Hawaii Revised Statutes, is
2 amended by amending subsection (b) to read as follows:

3 "(b) Towing companies engaged by the owner, occupant, or
4 person in charge of the property shall:

5 (1) Charge not more than \$75 for a tow, or \$85 for a tow
6 using a dolly, plus a mileage charge of \$7.50 per mile
7 towed and \$25 per day or fraction thereof for storage
8 for the first seven days and \$20 per day thereafter.

9 In the case of a difficult hookup, a towing surcharge
10 of \$30 shall apply. When the tow occurs between the
11 hours of six o'clock p.m. and six o'clock a.m., from
12 Monday through Thursday and from six o'clock p.m.

13 Friday to six o'clock a.m. Monday, the towing company
14 shall be entitled to an overtime charge of \$15. The
15 charges listed in this paragraph shall be the only
16 charges tow companies are authorized to charge vehicle
17 owners; provided that if the tow involves an



1 overturned vehicle, the towing company shall be
2 entitled to an additional charge of no more than \$35.
3 For purposes of this paragraph, "difficult hookup"
4 shall mean an above or below ground hookup in a
5 multilevel facility;

6 (2) If the vehicle is in the process of being hooked up,
7 meaning up to the point when the tow truck is driving
8 away, and the vehicle owner appears on the scene, the
9 tow company shall release the vehicle to the vehicle
10 owner at a location that ensures the safety of all
11 persons and property involved, regardless of whether
12 the release occurs on the scene or if the vehicle must
13 be removed from the scene to be safely released;
14 provided that no fee will be charged to the vehicle
15 owner under this paragraph;

16 (3) Determine the name of the legal owner and the last
17 registered owner of the vehicle from the department of
18 transportation or the county department of finance.
19 The legal owner and the last registered owner shall be
20 notified in writing at the address on record with the
21 department of transportation or with the county



1 department of finance by registered or certified mail
2 of the location of the vehicle, together with a
3 description of the vehicle, within a reasonable period
4 not to exceed fifteen days following the tow. The
5 notice shall state:

6 (A) The maximum towing charges and fees allowed by
7 law;

8 (B) The telephone number of the consumer information
9 service of the department of commerce and
10 consumer affairs; and

11 (C) That if the vehicle is not recovered within
12 thirty days after the mailing of the notice, the
13 vehicle shall be deemed abandoned and will be
14 sold or disposed of as junk.

15 Where the legal owner and the last registered owner
16 have not been notified pursuant to this paragraph, the
17 vehicle may be recovered by the vehicle owner from the
18 towing company without paying tow or storage fees.

19 The notice need not be sent to a legal owner or last
20 registered owner or any person with an unrecorded
21 interest in the vehicle whose name or address cannot



1 be determined. Absent evidence to the contrary, a
2 notice shall be deemed received by the legal owner or
3 last registered owner five days after the mailing;

4 (4) Provide, when a vehicle is recovered by the vehicle
5 owner the vehicle owner with a receipt stating:

6 (A) The maximum towing charges and fees allowed by
7 law; and

8 (B) The telephone number of the consumer information
9 service of the department of commerce and
10 consumer affairs; and

11 (5) Accept payment by the vehicle owner for charges under
12 paragraph (1) by cash, credit card, and debit card;
13 provided that ~~[no]~~:

14 (A) The towing company shall have an on-site
15 automated teller machine; and

16 (B) No towing company shall direct an individual to
17 use ~~[an on-site]~~ any automated teller machine in
18 lieu of accepting payment by credit card and
19 debit card.



1 The maximum charges for all amounts under paragraph
2 (1) shall be \$0 for any towing company that does not
3 comply with this paragraph."

4 SECTION 2. This Act does not affect rights and duties that
5 matured, penalties that were incurred, and proceedings that were
6 begun before its effective date.

7 SECTION 3. Statutory material to be repealed is bracketed
8 and stricken. New statutory material is underscored.

9 SECTION 4. This Act shall take effect on January 1, 2026.

10

INTRODUCED BY: Kurt Fevella



S.B. NO. 965

Report Title:

Towing Companies; Unattended Vehicles; Payment; ATM

Description:

In addition to the current requirement that towing companies allow individuals to pay by cash, credit card, or debit card, requires towing companies to have an on-site automatic teller machine. Specifies that a towing company cannot charge for tows if noncompliant.

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