

## CHAPTER 190.

[S. B. 112.]

## LIABILITY AND PROTECTION OF HOTEL-KEEPERS.

AN ACT to protect hotel keepers, innkeepers and lodging house keepers and to prescribe their duties and liability toward their guests and prescribing a penalty for its violation.

*Be it enacted by the Legislature of the State of Washington:*

SECTION 1. Any building held out to the public to be an inn, hotel or public lodging house or place where sleeping accommodations are furnished for hire to transient guests whether with or without meals in which 15 or more rooms are used for the accommodation of such guests shall for the purposes of this act only, be defined to be a hotel, and whenever the word hotel shall occur in this act it shall be construed to mean a hotel as herein described.

"Hotel"  
defined.

SEC. 2. Every hotel defined as such in this act shall keep a record of the arrival and departure of its guests in such a manner that the record will be a permanent one for at least one year from the date of departure.

Record  
of guests.

SEC. 3. No hotelkeeper, whether individual, partnership or corporation, who constantly has in his hotel a metal safe or suitable vault in good order and fit for the custody of money, bank notes, jewelry, articles of gold and silver manufacture, precious stones, personal ornaments, railroad mileage books or tickets, negotiable or valuable papers and bullion, and who keeps on the doors of the sleeping rooms used by guests, locks or bolts, and who keeps posted in each of said sleeping rooms a notice of liability as hereinafter specified, shall be liable for the loss or injury to such property suffered by any guest unless such guest has offered to deliver the same to such hotelkeeper for custody in such metal safe or vault and such hotelkeeper has omitted or refused to take it and deposit it in such safe or vault for custody and to give such guest a receipt or claim check therefor: *Provided, however,* That the keeper of any hotel shall not be obliged to receive from any one

Liability  
for loss of  
property of  
guests.

Limit of  
liability.

guest for deposit in such safe or vault any property hereinbefore described exceeding a total value of one thousand dollars, and shall not be liable, for any excess of such property, whether received or not: *Provided further*, Such hotelkeeper may by special arrangement with a guest receive for deposit in such safe or vault any property upon such terms as they may agree to in writing, but every hotelkeeper shall be liable for any loss of the above enumerated articles of a guest in his inn or hotel after said articles have been accepted for deposit, if caused by the theft or negligence of the hotelkeeper or any of his servants.

Liability  
for loss of  
baggage.

Limit of  
liability.

Storage of  
abandoned  
baggage.

SEC. 4. The liability of the keeper of any hotel, whether individual, partnership, or corporation, for loss of, or injury to personal property placed by his guests under his care, other than that described in the preceding sections, shall be that of a depository for hire: *Provided, however*, that in no case shall such liability exceed the sum of one hundred and fifty dollars for each trunk and its contents, fifty dollars for each valise or suitcase and its contents, and ten dollars for each box, bundle or package, and contents, so placed under his care, and all other miscellaneous effects including wearing apparel and personal belongings, fifty dollars, unless he shall have consented in writing with such guest to assume a greater liability: *And provided further*, whenever any person shall suffer his baggage or property to remain in any hotel after leaving the same as a guest, and after the relation of hotelkeeper and guest between such guest and the proprietor or manager of such hotel has ceased, or shall forward the same to such hotel before becoming a guest thereof and the same shall be received into such hotel, such keeper may at his option hold such baggage or property at the risk of such owner and when any personal property has been kept and stored by such hotelkeeper for one year after the relation of hotelkeeper and guest has ceased or when it does not exist, the hotelkeeper may if he so desires and acting as the agent of the owner deliver said property to a reliable storage or warehouse company for further storage. In the event the

warehouseman declines to accept such property for storage and the hotelkeeper not desiring to retain it longer in his possession, he may sell the same at public auction after paying the expenses incurred by advertisement and sale, as well as any storage that may have accrued, and he shall hold the remaining money arising from such sale subject to the demand of the owner or his legal representatives.

Sale at  
public  
auction.

SEC. 5. The keeper of any hotel, whether individual, partnership or corporation, shall have a lien on all personal property brought into such hotel, belonging to his guest for the proper charges due him from such guest for accommodation, board and lodging, and for such extras as are furnished at their request, and for all money paid for or advanced to them, and said hotelkeeper shall have the right to retain and hold possession of such personal property until the amount of such charges be paid, and such personal property shall be exempt from attachment or execution until such hotelkeeper's lien and the cost of satisfying it are satisfied.

Lien on  
property  
of guest.

SEC. 6. The hotelkeeper shall retain the personal property upon which he has a lien as above mentioned for a period of ninety days, at the expiration of which time if such lien is not satisfied, he may proceed to sell such personal property, or any part thereof, at public auction, after giving ten days' notice of the time and place of sale by posting said notice in three conspicuous places in the city or town, one of which shall be the postoffice and another the court house door, if the town be the county seat, and by mailing a notice of the time and place of sale to the person, guest or boarder at the place of residence registered by him on the register of said hotel, and after satisfying the lien and any expense of selling the property that may accrue, any residue remaining shall on demand be paid to such guest or boarder: *Provided, however,* That should the guest fail or refuse to register from any particular town or city, the notice herein required to be mailed shall be addressed to the name of the guest at the city or town wherein the hotel is located.

Sale to  
satisfy lien.

Notice.

Obtaining  
hotel accom-  
modations  
by fraud.

Penalty.

Evidence  
of fraud.

Posting  
notice of act  
in rooms.

SEC. 7. Any person who shall wilfully obtain food, money, lodging or accommodation at any hotel with intent to defraud the owner or keeper thereof, shall be guilty of a gross misdemeanor. Proof that lodging, food or other accommodations were obtained by a false pretense or by false or fictitious show or pretense of any baggage or other property or that the person refused or neglected to pay for such food, lodging or other accommodation on demand, or that he gave in payment for such food, lodging or other accommodations negotiable paper executed by himself on which payment was refused or that he absconded without paying or offering to pay for such food, lodging or other accommodation, or that he surreptitiously removed or attempted to remove his property or baggage, shall be *prima facie* evidence of the fraudulent intent hereinbefore mentioned.

SEC. 8. It shall be the duty of every hotelkeeper within this state to keep posted in each guest or sleeping room of said hotel a notice, printed in plain type, to the effect that the liability of said hotelkeeper is as defined by this act, giving the title of this act and the date of its approval and stating that a copy of this act may be seen or secured by any guest at the office of said hotel, and it shall be the further duty of the hotelkeeper to furnish a copy of this act to any guest on request. No hotelkeeper who fails to comply with the provisions of this section shall have any benefit from or protection under this act.

Passed the Senate February 15, 1915.

Passed the House March 9, 1915.

Approved by the Governor March 23, 1915.