Public Law 91-537

AN ACT

To revise certain laws relating to the liability of hotels, motels, and similar establishments in the District of Columbia to their guests.

December 8, 1970
[H. R. 10336]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) if a hotel, motel, or similar establishment in the District of Columbia which provides lodging to transient guests (1) provides a suitable depository (other than a checkroom) for the safekeeping of personal property (other than a motor vehicle), and (2) displays conspicuously in the guest and public rooms of that establishment a printed copy of this section (or summary thereof), that establishment shall not be liable for the loss or destruction of, or damage to, any personal property of a guest or patron not deposited for safekeeping, except that this sentence shall not apply with respect to the liability of that establishment for loss or destruction of, or damage to, any personal property retained by a guest in his room if the property is such property as is usual, common, or prudent for a guest to retain in his room. In the case of any personal property of a guest or patron deposited in such a depository for safekeeping, that establishment shall be liable for the loss or destruction of, or damage to, that property to the extent of the lesser of $1,000 or the fair market value of the property at the time of its loss, destruction, or damage.

D.C. hotels, etc. Liability laws, revision.

(b) If a hotel, motel, or similar establishment in the District of Columbia which provides lodging to transient guests maintains a checkroom (conspicuously designated as such) where guests and patrons may deposit personal property, that establishment shall, if it conspicuously posts a printed copy of this section (or summary thereof), be liable for the loss or destruction of, or damage to, that property only to the extent of the lesser of $200 or the fair market value of the property at the time of its loss, destruction, or damage unless the destruction or damage is caused by its agent or servant.

SEC. 2. (a) A hotel, motel, or similar establishment in the District of Columbia which provides lodging to transient guests, has a lien upon, and may retain possession of, any personal property belonging to, or under the control of, a guest or patron of that establishment, for the amount due that establishment from that guest or patron for lodging, food, or other item of value, except that the amount of the lien authorized by this subsection may not exceed $1,000.

Lien rights.

(b) If, within 30 days after his property has been retained under subsection (a), a guest or patron fails to pay the establishment retaining that property any amount due that establishment for lodging, food, or other item of value, that establishment may sell that property at a public sale. Prior to that sale, the establishment shall send, by registered or certified mail, to the last known address of that guest or patron a demand for payment of the amount due, and shall publish a notice of sale once a week for three successive weeks in a daily newspaper of general circulation published in the District of Columbia. That notice shall state—

Retained property, public sale.

Notice, contents.

(1) that the purpose of the sale is to satisfy the lien granted by subsection (a);

(2) the amount for which that lien is granted, including storage charges;

(3) the day, time, and place of sale; and

(4) a description of the property including, in the case of the sale of a motor vehicle, the make, type, year, model number, serial number, engine number, and the year and license registration number of that motor vehicle.

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In the case of the sale of a motor vehicle, a notice shall be given to any person whose security interest, lien, or other claim upon that motor vehicle is recorded with the motor vehicle registry of the State (including the District of Columbia) of registration of that motor vehicle. That notice shall be given at least 15 days prior to the date of sale.

Sale proceeds, disposition.

(c) The proceeds of a sale of property made under subsection (b) shall be applied as follows:

(1) first, to cover the expenses of the storage and sale of the property, and

(2) second, to discharge any security interest, lien, or other claim upon the property in the order of priority provided for by law.

Any amount remaining after the application provided for by paragraphs (1) and (2) shall be paid to the party entitled to the remainder if that party is known and can be located. If that party is not known or cannot be located within one year after the date of the sale, the establishment shall pay, within a reasonable time, the remainder to the government of the District of Columbia.

Unclaimed property, public sale.

SEC. 3. (a) A hotel, motel, or similar establishment in the District of Columbia which provides lodging to transient guests may sell at public auction any personal property that has been deposited for safekeeping, checked, or left unclaimed at that establishment for more than 90 days. If the owner of that property is known, the establishment shall, at least 15 days before that sale is held, send, by registered or certified mail, a notice to the owner at his last known address stating—

Notice.

(1) that the purpose of the sale is to dispose of unclaimed property;

(2) the amount of storage and other charges (including interest on those charges) against that property;

(3) the day, time, and place of sale; and

(4) a description of the property including, in the case of the sale of a motor vehicle, the make, type, year, model number, serial number, engine number, and the year and license registration number of that motor vehicle.

Motor vehicle.

In the case of the sale of a motor vehicle, a notice shall be given to any person whose security interest, lien, or other claim upon that motor vehicle is recorded with the motor vehicle registry of the State (including the District of Columbia) of registration of that motor vehicle. That notice shall be given at least 15 days prior to the date of sale.

Sale proceeds, disposition.

(b) The proceeds of a sale of property made under subsection (a) shall be applied as follows:

(1) first, to cover the expenses of the storage and sale of the property (including interest on those charges), and

(2) second, to discharge any security interest, lien, or other claim upon the property in the order of priority provided for by law.

Any amount remaining after the application provided for by paragraphs (1) and (2) shall be paid to the party entitled to the remainder if that party is known and can be located. If that party is not known or cannot be located within one year after the date of the sale, the establishment shall pay, within a reasonable time, the remainder to the government of the District of Columbia.

SEC. 4. (a) The Act entitled "An Act to establish a code of law for the District of Columbia", approved March 3, 1901 (31 Stat. 1189), is amended—

(1) by striking out section 1261 (D.C. Code, sec. 34–103) and by redesignating sections 1263 and 1264 as 1261 and 1262, respectively; and

(2) by striking out in the section redesignated as section 1261 (D.C. Code, sec. 34–104) "by any of the last three sections" and inserting in lieu thereof "by section 1260".

(b) The Act entitled "An Act establishing the liability of hotel proprietors and innkeepers in the District of Columbia", approved December 21, 1920 (D.C. Code, secs. 34–101 and 34–102), is repealed.

Repeal.

41 Stat. 1081.

Approved December 8, 1970.

Public Law 91-538

AN ACT

To enact the Interstate Agreement on Detainers into law.

December 9, 1970
[H. R. 6951]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Interstate Agreement on Detainers Act".

Interstate Agreement on Detainers Act.

SEC. 2. The Interstate Agreement on Detainers is hereby enacted into law and entered into by the United States on its own behalf and on behalf of the District of Columbia with all jurisdictions legally joining in substantially the following form:

"The contracting States solemnly agree that:

"ARTICLE I

"The party States find that charges outstanding against a prisoner, detainers based on untried indictments, informations, or complaints and difficulties in securing speedy trial of persons already incarcerated in other jurisdictions, produce uncertainties which obstruct programs of prisoner treatment and rehabilitation. Accordingly, it is the policy of the party States and the purpose of this agreement to encourage the expeditious and orderly disposition of such charges and determination of the proper status of any and all detainers based on untried indictments, informations, or complaints. The party States also find that proceedings with reference to such charges and detainers, when emanating from another jurisdiction, cannot properly be had in the absence of cooperative procedures. It is the further purpose of this agreement to provide such cooperative procedures.