

Chapter 258

(Senate Bill 247)

AN ACT concerning

**Rental and Replacement Vehicles – Age–Based Service Determinations –
Prohibition**

FOR the purpose of prohibiting under certain circumstances a rental vehicle company from, solely on the basis of age, refusing to rent a vehicle to an individual or charging an individual a higher rental fee than normally charged; prohibiting under certain circumstances an auto repair facility or a vehicle dealer from, solely on the basis of age, refusing to loan a replacement vehicle to an individual or charging an individual a higher fee for a replacement vehicle than normally charged; defining certain terms; and generally relating to age–based service determinations for rental and replacement vehicles.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 18–102(a)(2)(i) and 18–108(a)(1)
Annotated Code of Maryland
(2012 Replacement Volume and 2018 Supplement)

BY adding to
Article – Transportation
Section 18–109
Annotated Code of Maryland
(2012 Replacement Volume and 2018 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Transportation

18–102.

(a) (2) (i) In this paragraph, “replacement vehicle” means a vehicle that is loaned by an auto repair facility or a dealer, or that an individual rents temporarily, to use while a vehicle owned by the individual is not in use because of loss, as “loss” is defined in that individual’s applicable private passenger automobile insurance policy, or because of breakdown, repair, service, or damage.

18–108.

(a) (1) In this section, “rental vehicle company” means a person that rents a motor vehicle to a consumer.

18-109.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “RENTAL VEHICLE COMPANY” HAS THE MEANING STATED IN § 18-108 OF THIS TITLE.

(3) “REPLACEMENT VEHICLE” HAS THE MEANING STATED IN § 18-102 OF THIS TITLE.

(B) IF A VEHICLE OWNED BY AN INDIVIDUAL WHO IS AT LEAST 18 YEARS OLD IS NOT IN USE BECAUSE OF A REPAIR OF THE VEHICLE COVERED BY A WARRANTY, A ~~THE REPAIR OR~~ RECALL OF THE VEHICLE, OR A REPAIR OF THE VEHICLE AS A RESULT OF THE RECALL:

(1) A RENTAL VEHICLE COMPANY MAY NOT, SOLELY ON THE BASIS OF THE AGE OF THE INDIVIDUAL:

(I) REFUSE TO RENT A VEHICLE TO THE INDIVIDUAL; OR

(II) CHARGE THE INDIVIDUAL A HIGHER RENTAL FEE THAN NORMALLY CHARGED; AND

(2) AN AUTO REPAIR FACILITY OR A VEHICLE DEALER MAY NOT, SOLELY ON THE BASIS OF THE AGE OF THE INDIVIDUAL:

(I) REFUSE TO LOAN A REPLACEMENT VEHICLE TO THE INDIVIDUAL; OR

(II) CHARGE THE INDIVIDUAL A HIGHER FEE FOR A REPLACEMENT VEHICLE THAN NORMALLY CHARGED.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2019.

Approved by the Governor, April 30, 2019.