
By: **Delegate Kagan**
Introduced and read first time: February 12, 1998
Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Consumer Protection - Rental of Motor Vehicles**

3 FOR the purpose of prohibiting a person from refusing to rent a motor vehicle to a
4 consumer who meets certain requirements; allowing a person who rents a motor
5 vehicle to a consumer under a certain age to impose a certain surcharge;
6 requiring a person who imposes a surcharge to include a certain disclosure in
7 certain information provided to a consumer; requiring a rental agreement to
8 contain a certain disclosure under certain circumstances; providing that a
9 violation of this Act is an unfair and deceptive trade practice under the
10 Maryland Consumer Protection Act; and generally relating to the rental of
11 motor vehicles to consumers.

12 BY repealing and reenacting, with amendments,
13 Article - Commercial Law
14 Section 13-301(14)
15 Annotated Code of Maryland
16 (1990 Replacement Volume and 1997 Supplement)

17 BY repealing and reenacting, without amendments,
18 Article - Transportation
19 Section 18-103(a)
20 Annotated Code of Maryland
21 (1992 Replacement Volume and 1997 Supplement)

22 BY adding to
23 Article - Transportation
24 Section 18-108
25 Annotated Code of Maryland
26 (1992 Replacement Volume and 1997 Supplement)

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

1

Article - Commercial Law

2 13-301.

3 Unfair or deceptive trade practices include any:

4 (14) Violation of a provision of:

5 (i) This title;

6 (ii) An order of the Attorney General or agreement of a party
7 relating to unit pricing under Title 14, Subtitle 1 of this article;8 (iii) Title 14, Subtitle 2 of this article, the Maryland Consumer Debt
9 Collection Act;10 (iv) Title 14, Subtitle 3 of this article, the Maryland Door-to-Door
11 Sales Act;

12 (v) Title 14, Subtitle 9 of this article, Kosher Products;

13 (vi) Title 14, Subtitle 10 of this article, Automotive Repair Facilities;

14 (vii) Section 14-1302 of this article;

15 (viii) Title 14, Subtitle 11 of this article, Maryland Layaway Sales
16 Act;

17 (ix) Section 22-415 of the Transportation Article;

18 (x) Title 14, Subtitle 20 of this article;

19 (xi) Title 14, Subtitle 15 of this article, the Automotive Warranty
20 Enforcement Act;

21 (xii) Title 14, Subtitle 21 of this article;

22 (xiii) Section 18-107 of the Transportation Article;

23 (xiv) Title 14, Subtitle 22 of this article, the Maryland Telephone
24 Solicitations Act;25 (xv) Title 14, Subtitle 23 of this article, the Automotive Crash Parts
26 Act;

27 (xvi) Title 10, Subtitle 6 of the Real Property Article;

28 (xvii) Title 10, Subtitle 8 of the Real Property Article;

29 (xviii) Title 14, Subtitle 25 of this article, the Hearing Aid Sales Act;

30 [or]

1 (xix) Title 14, Subtitle 26 of this article, the Maryland Door-to-Door
2 Solicitations Act; or

3 (XX) SECTION 18-108 OF THE TRANSPORTATION ARTICLE; OR

4 **Article - Transportation**

5 18-103.

6 (a) A person may not rent a motor vehicle, trailer, or semitrailer to any other
7 person unless the individual who will operate the rented vehicle:

8 (1) Holds a driver's license issued under Title 16 of this article, which
9 license authorizes him to drive or tow, as the case may be, vehicles of the class rented;

10 (2) Is a nonresident who:

11 (i) Has with him a license to drive issued to him by the state or
12 country of his residence, which license authorizes him in that state or country to drive
13 or tow, as the case may be, vehicles of the class rented; and

14 (ii) Is at least the same age as that required of a resident to drive or
15 tow, as the case may be, the vehicle rented; or

16 (3) Otherwise is specifically authorized by Title 16 of this article to drive
17 or tow, as the case may be, vehicles of the class rented.

18 18-108.

19 (A) SUBJECT TO SUBSECTION (B) OF THIS SECTION, A PERSON MAY NOT
20 REFUSE TO RENT A MOTOR VEHICLE TO A CONSUMER WHO MEETS THE
21 REQUIREMENTS OF § 18-103(A) OF THIS SUBTITLE AND IS AT LEAST 18 YEARS OF AGE.

22 (B) (1) A PERSON WHO RENTS A MOTOR VEHICLE TO A CONSUMER UNDER
23 THE AGE OF 25 YEARS MAY CHARGE THE CONSUMER A REASONABLE SURCHARGE.

24 (2) IF A PERSON IMPOSES A SURCHARGE UNDER PARAGRAPH (1) OF THIS
25 SUBSECTION:

26 (I) THE PERSON SHALL INCLUDE IN ANY INFORMATION ABOUT
27 RENTAL FEES PROVIDED ORALLY OR IN WRITING TO A CONSUMER, A DISCLOSURE
28 THAT A SURCHARGE IS IMPOSED AND THE AMOUNT OF THE SURCHARGE; AND

29 (II) THE RENTAL AGREEMENT SHALL CONTAIN A WRITTEN
30 DISCLOSURE TO THE CONSUMER, IN AT LEAST 10-POINT TYPE, THAT A SURCHARGE
31 IS BEING IMPOSED AND THE AMOUNT OF THE SURCHARGE.

32 (C) IN ADDITION TO ANY OTHER REMEDIES OTHERWISE AVAILABLE AT LAW, A
33 VIOLATION OF THIS SECTION SHALL BE AN UNFAIR AND DECEPTIVE TRADE
34 PRACTICE UNDER TITLE 13, SUBTITLE 3 OF THE COMMERCIAL LAW ARTICLE.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 1998.