
By: ~~Delegate Moe~~ **Delegates Moe and Cane**
Introduced and read first time: February 10, 2006
Assigned to: Environmental Matters

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 25, 2006

CHAPTER _____

1 AN ACT concerning

2 **Vehicle Laws - Rental Vehicle Companies - Prohibition on Separately Stated**
3 **Charges**

4 FOR the purpose of prohibiting a rental vehicle company from charging a consumer a
5 separately stated fee to recover the rental vehicle company's titling and
6 registration costs for its fleet of rental vehicles unless the fee represents a good
7 faith estimate of certain costs and is itemized and described in a rental
8 agreement in a certain manner; requiring a rental vehicle company to adjust the
9 amount of the fee under certain circumstances; requiring a rental vehicle
10 company to include certain information relating to the fee in an advertisement
11 except under certain circumstances; defining a certain term; and generally
12 relating to rental vehicle fees.

13 BY adding to
14 Article - Transportation
15 Section 18-108
16 Annotated Code of Maryland
17 (2002 Replacement Volume and 2005 Supplement)

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

20 **Article - Transportation**

21 18-108.

22 (A) IN THIS SECTION, "RENTAL VEHICLE COMPANY" MEANS A PERSON THAT
23 RENTS A MOTOR VEHICLE TO A CONSUMER.

1 (B) A RENTAL VEHICLE COMPANY MAY NOT CHARGE A CONSUMER A
2 SEPARATELY STATED FEE TO RECOVER ANY PORTION OF THE RENTAL VEHICLE
3 COMPANY'S TITLING AND REGISTRATION COSTS INCURRED UNDER TITLE 13 OF THIS
4 ARTICLE FOR ITS FLEET OF RENTAL VEHICLES, UNLESS THE FEE:

5 (1) REPRESENTS A GOOD FAITH ESTIMATE BY THE RENTAL VEHICLE
6 COMPANY OF THE AVERAGE PER DAY PER VEHICLE PORTION OF THE RENTAL
7 VEHICLE COMPANY'S TOTAL ANNUAL TITLING AND REGISTRATION COSTS INCURRED
8 UNDER TITLE 13 OF THIS ARTICLE;

9 (2) IS ITEMIZED IN A RENTAL AGREEMENT SEPARATELY FROM OTHER
10 CHARGES TO THE CONSUMER; AND

11 (3) IS DESCRIBED IN THE RENTAL AGREEMENT AS:

12 "THE ESTIMATED AVERAGE PER DAY PER VEHICLE PORTION OF THE
13 RENTAL COMPANY'S TOTAL ANNUAL TITLING AND REGISTRATION COSTS".

14 (C) IF THE TOTAL AMOUNT OF THE FEES COLLECTED BY A RENTAL VEHICLE
15 COMPANY UNDER THIS SECTION DURING A 12-MONTH PERIOD EXCEEDS THE
16 RENTAL VEHICLE COMPANY'S ACTUAL TITLING AND REGISTRATION COSTS
17 INCURRED DURING THE SAME 12-MONTH PERIOD, THE RENTAL VEHICLE COMPANY
18 SHALL:

19 (1) RETAIN THE EXCESS AMOUNT; AND

20 (2) ADJUST THE ESTIMATED AVERAGE PER DAY PER VEHICLE TITLING
21 AND REGISTRATION CHARGE FOR THE FOLLOWING 12-MONTH PERIOD BY A
22 CORRESPONDING AMOUNT.

23 (D) IF A RENTAL VEHICLE COMPANY ADVERTISES THE RENTAL RATE FOR A
24 VEHICLE AVAILABLE FOR RENT IN THE STATE, THE FEE AUTHORIZED UNDER THIS
25 SECTION SHALL BE INCLUDED IN THE ADVERTISED PRICE, UNLESS THE
26 ADVERTISEMENT CLEARLY AND CONSPICUOUSLY DISCLOSES THE MAXIMUM DAILY
27 AMOUNT OF THE FEE.

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
29 October 1, 2006.