
By: **Senator Stone**

Introduced and read first time: February 13, 2006

Assigned to: Rules

A BILL ENTITLED

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.

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

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

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

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

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

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

15 (1) RETAIN THE EXCESS AMOUNT; AND

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

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

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