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By: **Senator Stone**

Introduced and read first time: February 13, 2006

Assigned to: Rules

Re-referred to: Finance, February 16, 2006

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Committee Report: Favorable

Senate action: Adopted

Read second time: March 24, 2006

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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:

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**Article - Transportation**

2 18-108.

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

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

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

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

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

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

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

23 (1) RETAIN THE EXCESS AMOUNT; AND

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

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

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

