

SS HS HCS HB 1285 -- CAR RENTAL INSURANCE

This bill changes the laws regarding car rental contracts. The bill:

- (1) Changes the definition of "authorized driver" as it applies to car rental contracts to exclude employers, parking valets, and family members other than a spouse;
- (2) Revises the written notice that must appear on every car rental contract regarding the purchase of optional insurance coverage and how the consumer's own auto insurance policy or credit card might already offer that protection. However, this notice will be deemed provided if it is included in a master rental agreement given to the consumer prior to the bill's effective date. In addition, notice will be deemed provided if it appears on the car rental company's web site;
- (3) Requires car rental companies to provide notice to the consumer in the form of a sign or brochure at the rental office that informs the consumer about the availability of a collision damage waiver, any other optional car rental insurance, and a statement that the purchase of collision damage waiver is not required in order to rent a car;
- (4) Clarifies that a violation for deceptive and unfair practice must be done knowingly and intentionally; and
- (5) Limits the remedy for non-compliance to injunctive relief and monetary damages of \$50 for each violation, not to exceed \$100,000 in the aggregate in any calendar year.