

**Calendar No. 561**113<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION**S. 921****[Report No. 113-253]**

To amend chapter 301 of title 49, United States Code, to prohibit the rental of motor vehicles that contain a defect related to motor vehicle safety, and for other purposes.

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**IN THE SENATE OF THE UNITED STATES**

MAY 9, 2013

Mr. SCHUMER (for himself, Ms. MURKOWSKI, Mrs. BOXER, Mrs. MCCASKILL, Mr. BLUMENTHAL, Mrs. FEINSTEIN, Mrs. GILLIBRAND, Mr. CASEY, and Mr. SCHATZ) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

SEPTEMBER 15, 2014

Reported by Mr. ROCKEFELLER, without amendment

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**A BILL**

To amend chapter 301 of title 49, United States Code, to prohibit the rental of motor vehicles that contain a defect related to motor vehicle safety, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Raechel and Jacqueline  
3 Houck Safe Rental Car Act of 2013”.

4 **SEC. 2. DEFINITIONS.**

5 Section 30102(a) of title 49, United States Code, is  
6 amended—

7 (1) by redesignating paragraphs (10) and (11)  
8 as paragraphs (12) and (13), respectively;

9 (2) by redesignating paragraphs (1) through  
10 (9) as paragraphs (2) through (10), respectively;

11 (3) by inserting before paragraph (2), as reded-  
12 igned, the following:

13 “(1) ‘covered rental vehicle’ means a motor ve-  
14 hicle that—

15 “(A) has a gross vehicle weight rating of  
16 10,000 pounds or less;

17 “(B) is rented without a driver for an ini-  
18 tial term of less than 4 months; and

19 “(C) is part of a motor vehicle fleet of 5  
20 or more motor vehicles that are used for rental  
21 purposes by a rental company.”; and

22 (4) by inserting after paragraph (10), as reded-  
23 igned, the following:

24 “(11) ‘rental company’ means a person who—

25 “(A) is engaged in the business of renting  
26 covered rental vehicles; and

1           “(B) uses for rental purposes a motor ve-  
2           hicle fleet of 5 or more covered rental vehi-  
3           cles.”.

4 **SEC. 3. REMEDIES FOR DEFECTS AND NONCOMPLIANCE.**

5           Section 30120(i) of title 49, United States Code, is  
6 amended—

7           (1) in the subsection heading, by adding “, OR  
8           RENTAL” at the end;

9           (2) in paragraph (1)—

10           (A) by striking “(1) If notification” and  
11           inserting the following:

12           “(1) IN GENERAL.—If notification”;

13           (B) by indenting subparagraphs (A) and  
14           (B) four ems from the left margin;

15           (C) by inserting “or the manufacturer has  
16           provided to a rental company notification about  
17           a covered rental vehicle in the company’s pos-  
18           session at the time of notification” after “time  
19           of notification”;

20           (D) by striking “the dealer may sell or  
21           lease,” and inserting “the dealer or rental com-  
22           pany may sell, lease, or rent”; and

23           (E) in subparagraph (A), by striking “sale  
24           or lease” and inserting “sale, lease, or rental  
25           agreement”;

1           (3) by amending paragraph (2) to read as fol-  
2 lows:

3           “(2) RULE OF CONSTRUCTION.—Nothing in  
4 this subsection may be construed to prohibit a dealer  
5 or rental company from offering the vehicle or equip-  
6 ment for sale, lease, or rent.”; and

7           (4) by adding at the end the following:

8           “(3) SPECIFIC RULES FOR RENTAL COMPA-  
9 NIES.—

10           “(A) IN GENERAL.—Except as otherwise  
11 provided under this paragraph, a rental com-  
12 pany shall comply with the limitations on sale,  
13 lease, or rental set forth in subparagraph (C)  
14 and paragraph (1) as soon as practicable, but  
15 not later than 24 hours after the earliest re-  
16 ceipt of the notice to owner under subsection  
17 (b) or (c) of section 30118 (including the vehi-  
18 cle identification number for the covered vehi-  
19 cle) by the rental company, whether by elec-  
20 tronic means or first class mail.

21           “(B) SPECIAL RULE FOR LARGE VEHICLE  
22 FLEETS.—Notwithstanding subparagraph (A),  
23 if a rental company receives a notice to owner  
24 covering more than 5,000 motor vehicles in its  
25 fleet, the rental company shall comply with the

1 limitations on sale, lease, or rental set forth in  
2 subparagraph (C) and paragraph (1) as soon as  
3 practicable, but not later than 48 hours after  
4 the earliest receipt of the notice to owner under  
5 subsection (b) or (c) of section 30018 (includ-  
6 ing the vehicle identification number for the  
7 covered vehicle) by the rental company, whether  
8 by electronic means or first class mail.

9 “(C) SPECIAL RULE FOR WHEN REMEDIES  
10 NOT IMMEDIATELY AVAILABLE.—If a notifica-  
11 tion required under subsection (b) or (c) of sec-  
12 tion 30118 indicates that the remedy for the  
13 defect or noncompliance is not immediately  
14 available and specifies actions to temporarily  
15 alter the vehicle that eliminate the safety risk  
16 posed by the defect or noncompliance, the rent-  
17 al company, after causing the specified actions  
18 to be performed, may rent (but may not sell or  
19 lease) the motor vehicle. Once the remedy for  
20 the rental vehicle becomes available to the rent-  
21 al company, the rental company may not rent  
22 the vehicle until the vehicle has been remedied,  
23 as provided in subsection (a).

24 “(D) INAPPLICABILITY TO JUNK AUTO-  
25 MOBILES.—Notwithstanding paragraph (1), this

1 subsection does not prohibit a rental company  
 2 from selling a covered rental vehicle if such ve-  
 3 hicle—

4 “(i) meets the definition of a junk  
 5 automobile under section 201 of the Anti-  
 6 Car Theft Act of 1992 (49 U.S.C. 30501);

7 “(ii) is retitled as a junk automobile  
 8 pursuant to applicable State law; and

9 “(iii) is reported to the National  
 10 Motor Vehicle Information System, if re-  
 11 quired under section 204 of such Act (49  
 12 U.S.C. 30504).”.

13 **SEC. 4. MAKING SAFETY DEVICES AND ELEMENTS INOPER-**  
 14 **ATIVE.**

15 Section 30122(b) of title 49, United States Code, is  
 16 amended by inserting “rental company,” after “dealer,”  
 17 each place such term appears.

18 **SEC. 5. INSPECTIONS, INVESTIGATIONS, AND RECORDS.**

19 Section 30166 of title 49, United States Code, is  
 20 amended—

21 (1) in subsection (c)(2), by striking “or dealer”  
 22 each place such term appears and inserting “dealer,  
 23 or rental company”;

1           (2) in subsection (e), by striking “or dealer”  
2           each place such term appears and inserting “dealer,  
3           or rental company”; and

4           (3) in subsection (f), by striking “or to owners”  
5           and inserting “, rental companies, or other owners”.

6 **SEC. 6. RESEARCH AUTHORITY.**

7           The Secretary of Transportation may conduct a  
8           study of—

9           (1) the effectiveness of the amendments made  
10          by this Act; and

11          (2) other activities of rental companies (as de-  
12          fined in section 30102(a)(11) of title 49, United  
13          States Code) related to their use and disposition of  
14          motor vehicles that are the subject of a notification  
15          required under section 30118 of title 49, United  
16          States Code.

17 **SEC. 7. STUDY.**

18          (a) **ADDITIONAL REQUIREMENT.**—Subsection (b)(2)  
19          of section 32206 of the Moving Ahead for Progress in the  
20          21st Century Act (Public Law 112–141; 126 Stat. 785)  
21          is amended—

22          (1) in subparagraph (E), by striking “and” at  
23          the end;

24          (2) by redesignating subparagraph (F) as sub-  
25          paragraph (G); and

1           (3) by inserting after subparagraph (E) the fol-  
2           lowing:

3                   “(F) evaluate the completion of safety re-  
4                   call remedies on rental trucks; and”.

5           (b) REPORT.—Subsection (c) of such section is  
6           amended—

7                   (1) by redesignating paragraphs (1) and (2) as  
8                   subparagraphs (A) and (B), respectively, and indent-  
9                   ing such subparagraphs, as so redesignated, an addi-  
10                  tional two ems from the left margin;

11                  (2) by striking “REPORT.—Not later” and in-  
12                  serting the following:

13                  “(c) REPORTS.—

14                   “(1) INITIAL REPORT.—Not later”;

15                   (3) in paragraph (1), by striking “subsection  
16                   (b)” and inserting “subparagraphs (A) through (E)  
17                   and (G) of subsection (b)(2)”;

18                   (4) by adding at the end the following:

19                   “(2) SAFETY RECALL REMEDY REPORT.—Not  
20                   later than 1 year after the date of the enactment of  
21                   the ‘Raechel and Jacqueline Houck Safe Rental Car  
22                   Act of 2013’, the Secretary shall submit a report to  
23                   the congressional committees set forth in paragraph  
24                   (1) that contains—



1           “(A) the findings of the study conducted  
2           pursuant to subsection (b)(2)(F); and

3           “(B) any recommendations for legislation  
4           that the Secretary determines to be appro-  
5           priate.”.

6 **SEC. 8. PUBLIC COMMENTS.**

7           The Secretary of Transportation shall solicit com-  
8           ments regarding the implementation of this Act from  
9           members of the public, including rental companies, con-  
10          sumer organizations, automobile manufacturers, and auto-  
11          mobile dealers.

12 **SEC. 9. RULEMAKING.**

13          The Secretary of Transportation may promulgate  
14          rules, as appropriate, to implement this Act and the  
15          amendments made by this Act.

16 **SEC. 10. EFFECTIVE DATE.**

17          The amendments made by this Act shall take effect  
18          on the date that is 180 days after the date of the enact-  
19          ment of this Act.

Calendar No. 561

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