

Second Regular Session
Seventy-first General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 18-0205.02 Kip Kolkmeier x4510

SENATE BILL 18-100

SENATE SPONSORSHIP

Neville T., Williams A.

HOUSE SPONSORSHIP

Kraft-Tharp and Van Winkle,

Senate Committees
Finance

House Committees

A BILL FOR AN ACT

101 CONCERNING DISCLOSURE OF ADDITIONAL MANDATORY CHARGES BY
102 MOTOR VEHICLE RENTAL COMPANIES.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill requires a motor vehicle rental company to disclose to a potential customer, in any vehicle rental cost quote and in the rental agreement, additional mandatory charges applicable to the motor vehicle rental. Additional mandatory charges are charges specifically related to the operation of the rental vehicle. The failure to disclose additional mandatory charges is a deceptive trade practice.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 6-1-105, **amend**
3 (1)(x) as follows:

4 **6-1-105. Deceptive trade practices.** (1) A person engages in a
5 deceptive trade practice when, in the course of the person's business,
6 vocation, or occupation, the person:

7 (x) Violates ~~the provisions of sections 6-1-203 to 6-1-205~~ 6-1-206
8 or of part 7 of this ~~article~~ ARTICLE 1;

9 **SECTION 2.** In Colorado Revised Statutes, **add** 6-1-206 as
10 follows:

11 **6-1-206. Additional mandatory charges - required disclosures**
12 **- definitions.** (1) IF A MOTOR VEHICLE RENTAL COMPANY IMPOSES
13 ADDITIONAL MANDATORY CHARGES, THE RENTAL COMPANY SHALL:

14 (a) PROVIDE A GOOD-FAITH ESTIMATE OF THE TOTAL CHARGES FOR
15 THE ENTIRE RENTAL, INCLUDING ALL ADDITIONAL MANDATORY CHARGES,
16 WHENEVER A QUOTE IS PROVIDED TO A POTENTIAL CUSTOMER. THE
17 GOOD-FAITH ESTIMATE MAY EXCLUDE MILEAGE CHARGES AND CHARGES
18 FOR OPTIONAL ITEMS THAT CANNOT BE DETERMINED PRIOR TO
19 COMPLETING A RENTAL RESERVATION BASED ON THE INFORMATION
20 PROVIDED BY THE POTENTIAL CUSTOMER.

21 (b) DISCLOSE IN THE RENTAL CONTRACT PROVIDED TO THE RENTER
22 THE TOTAL CHARGES FOR THE ENTIRE RENTAL, INCLUDING ALL
23 ADDITIONAL MANDATORY CHARGES. TOTAL CHARGES FOR THE ENTIRE
24 RENTAL DO NOT INCLUDE ANY CHARGES THAT CANNOT BE DETERMINED AT
25 THE TIME THE RENTAL COMMENCES.

26 (2) AS USED IN THIS SECTION:

1 (a) "ADDITIONAL MANDATORY CHARGE" MEANS ANY SEPARATELY
2 STATED CHARGES THAT A MOTOR VEHICLE RENTAL COMPANY REQUIRES A
3 RENTER TO PAY THAT SPECIFICALLY RELATE TO THE OPERATION OF A
4 RENTAL VEHICLE. "ADDITIONAL MANDATORY CHARGE" INCLUDES, BUT IS
5 NOT LIMITED TO, A CUSTOMER FACILITY CHARGE, AIRPORT CONCESSION
6 RECOVERY FEE, ROAD SAFETY PROGRAM FEE, VEHICLE LICENSE RECOVERY
7 FEE, OR ANY GOVERNMENT IMPOSED TAXES OR FEES.

8 (b) "MOTOR VEHICLE" HAS THE MEANING SET FORTH IN SECTION
9 12-6-102.

10 (c) "MOTOR VEHICLE RENTAL COMPANY" HAS THE MEANING SET
11 FORTH IN SECTION 10-1-102.

12 (d) "QUOTE" MEANS AN ESTIMATED COST OF RENTAL PROVIDED BY
13 A MOTOR VEHICLE RENTAL COMPANY TO A POTENTIAL CUSTOMER BASED
14 ON INFORMATION PROVIDED BY THE CUSTOMER, INCLUDING POTENTIAL
15 DATES OF RENTAL, LOCATION, OR CLASS OF VEHICLE.

16 (e) "VEHICLE LICENSE RECOVERY FEE" MEANS A CHARGE TO
17 RECOVER COSTS INCURRED BY A MOTOR VEHICLE RENTAL COMPANY TO
18 LICENSE, TITLE, REGISTER, PLATE, OR INSPECT A RENTAL VEHICLE.

19 **SECTION 3. Act subject to petition - effective date.** This act
20 takes effect at 12:01 a.m. on the day following the expiration of the
21 ninety-day period after final adjournment of the general assembly (August
22 8, 2018, if adjournment sine die is on May 9, 2018); except that, if a
23 referendum petition is filed pursuant to section 1 (3) of article V of the
24 state constitution against this act or an item, section, or part of this act
25 within such period, then the act, item, section, or part will not take effect
26 unless approved by the people at the general election to be held in

- 1 November 2018 and, in such case, will take effect on the date of the
- 2 official declaration of the vote thereon by the governor.