

# SENATE BILL No. 138

January 31, 2007, Introduced by Senators RICHARDVILLE, SCOTT and PAPPAGEORGE and referred to the Committee on Economic Development and Regulatory Reform.

A bill to amend 1949 PA 300, entitled  
"Michigan vehicle code,"  
(MCL 257.1 to 257.923) by adding section 810c.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1           SEC. 810C. (1) A RENTAL VEHICLE COMPANY MAY NOT CHARGE A  
2 CONSUMER A SEPARATELY STATED FEE TO RECOVER ANY PORTION OF THE  
3 RENTAL VEHICLE COMPANY'S TITLING AND REGISTRATION COSTS INCURRED  
4 UNDER THIS ACT FOR ITS FLEET OF RENTAL VEHICLES, UNLESS THE FEE  
5 MEETS ALL OF THE FOLLOWING:

6           (A) THE FEE REPRESENTS A GOOD-FAITH ESTIMATE BY THE RENTAL  
7 VEHICLE COMPANY OF THE AVERAGE PER DAY PER VEHICLE PORTION OF THE  
8 RENTAL VEHICLE COMPANY'S TOTAL ANNUAL TITLING AND REGISTRATION  
9 COSTS INCURRED UNDER THIS ACT.

10           (B) THE FEE IS ITEMIZED IN A RENTAL AGREEMENT SEPARATELY FROM

1 OTHER CHARGES TO THE CONSUMER.

2 (C) THE FEE IS DESCRIBED IN THE RENTAL AGREEMENT IN THE  
3 FOLLOWING MANNER: "THE ESTIMATED AVERAGE PER DAY PER VEHICLE  
4 PORTION OF THE RENTAL COMPANY'S TOTAL ANNUAL TITLING AND  
5 REGISTRATION COSTS INCURRED UNDER THE MICHIGAN VEHICLE CODE".

6 (2) IF THE TOTAL AMOUNT OF THE FEES COLLECTED BY A RENTAL  
7 VEHICLE COMPANY UNDER THIS SECTION IN ANY CALENDAR YEAR EXCEEDS THE  
8 RENTAL VEHICLE COMPANY'S ACTUAL TITLING AND REGISTRATION COSTS  
9 INCURRED DURING THAT CALENDAR YEAR, THE RENTAL VEHICLE COMPANY  
10 SHALL DO BOTH OF THE FOLLOWING:

11 (A) RETAIN THE EXCESS AMOUNT.

12 (B) ADJUST THE ESTIMATED AVERAGE PER DAY PER VEHICLE TITLING  
13 AND REGISTRATION CHARGE FOR THE FOLLOWING CALENDAR YEAR BY A  
14 CORRESPONDING AMOUNT.

15 (3) IF A RENTAL VEHICLE COMPANY ADVERTISES THE RENTAL RATE FOR  
16 A VEHICLE AVAILABLE FOR RENT IN THIS STATE, THE RENTAL VEHICLE  
17 COMPANY SHALL INCLUDE THE FEE AUTHORIZED UNDER THIS SECTION IN THE  
18 ADVERTISED PRICE, UNLESS THE ADVERTISEMENT CLEARLY AND  
19 CONSPICUOUSLY DISCLOSES THE MAXIMUM DAILY AMOUNT OF THE FEE.

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