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HOUSE BILL 2322

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State of Washington

64th Legislature

2016 Regular Session

By Representative Zeiger

Prefiled 12/23/15. Read first time 01/11/16. Referred to Committee on Transportation.

1 AN ACT Relating to the vehicle license cost recovery fee charged  
2 for certain rental car transactions; and reenacting and amending RCW  
3 47.04.310.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 47.04.310 and 2009 c 346 s 2 are each reenacted and  
6 amended to read as follows:

7 (1) A rental car company may include separately stated  
8 surcharges, fees, or charges in a rental agreement, which may  
9 include, but may not be in any way limited to, vehicle license cost  
10 recovery fees, child restraint system rental fees, airport-related  
11 recovery fees, all applicable taxes, and government surcharges.

12 (2) If a rental car company includes a vehicle license cost  
13 recovery fee as a separately stated charge in a rental transaction,  
14 the amount of the fee must represent the rental car company's good  
15 faith estimate of the rental car company's average daily charge as  
16 calculated by the rental car company to recover its actual total  
17 annual rental car titling, registration, plating, and inspection  
18 costs in the state of Washington.

19 (3) If the total amount of the vehicle license cost recovery fees  
20 collected by a rental car company under this section in any calendar  
21 year exceeds the rental car company's actual costs in the state of

1 Washington to license, title, register, and plate rental cars and to  
2 have such rental cars inspected for that calendar year, the rental  
3 car company shall do both of the following:

4 (a) Retain the excess amount; and

5 (b) Adjust the estimated average per vehicle titling, licensing,  
6 plating, inspecting, and registration charge for the following  
7 calendar year by a corresponding amount.

8 (4) Nothing in this section prevents a rental car company from  
9 making adjustments to the vehicle license cost recovery fee during  
10 the calendar year.

11 (5) The following definitions apply to this section unless the  
12 context clearly requires otherwise:

13 (a) "Child restraint system rental fee" means a charge that may  
14 be separately stated and charged on the rental contract in a car  
15 rental transaction originating in Washington state to recover the  
16 costs associated with providing child restraint systems; (~~and~~)

17 (b) "Rental car" has the same meaning as defined in RCW  
18 48.115.005;

19 (c) "Rental car company" has the same meaning as defined in RCW  
20 48.115.005; and

21 (d) "Vehicle license cost recovery fee" means a charge that may  
22 be separately stated and charged on the rental contract (~~in~~) for  
23 (~~ear~~) rental car transaction originating in Washington state to  
24 recover costs incurred in the state of Washington by a rental car  
25 company to license, title, register, plate, and inspect rental cars.

26 (6)(a) If a rental car company includes a child restraint system  
27 rental fee as a separately stated charge in a rental transaction, the  
28 amount of the fee must represent no more than the rental car  
29 company's good faith estimate of the rental car company's costs to  
30 provide a child restraint system.

31 (b) If a rental car customer pays a child restraint system rental  
32 fee and the child restraint system is not available in a timely  
33 manner, as determined by the rental car customer, but in no case less  
34 than one hour after the arrival of the customer at the location where  
35 the customer receives the vehicle or vehicles, (i) the customer may  
36 cancel any reservation or other agreement for the rental of the  
37 vehicle or vehicles, (ii) any costs or penalties associated with the  
38 cancellation are void, and (iii) the customer is entitled to a full

1 refund of any costs associated with the rental of the vehicle or  
2 vehicles.

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