

HOUSE BILL REPORT

HB 1371

As Amended by the Senate

Title: An act relating to traffic infractions involving rental vehicles.

Brief Description: Addressing traffic infractions involving rental vehicles.

Sponsors: By Representative Appleton.

Brief History:

Committee Activity:

Transportation: 2/8/07, 2/22/07 [DP].

Floor Activity:

Passed House: 3/9/07, 97-0.

Senate Amended.

Passed Senate: 4/12/07, 48-1.

Brief Summary of Bill

- Limits, to vehicle thefts, the circumstances where a rental car business can avoid liability for an infraction by stating that it is unable to determine who was driving or renting a vehicle when an infraction occurred .
- Establishes a procedure under which a rental car business may address private parking infractions that occurred while a vehicle was rented.

HOUSE COMMITTEE ON TRANSPORTATION

Majority Report: Do pass. Signed by 23 members: Representatives Clibborn, Chair; Jarrett, Ranking Minority Member; Schindler, Assistant Ranking Minority Member; Appleton, Armstrong, Campbell, Dickerson, Eddy, Ericksen, Hailey, Hankins, Hudgins, Lovick, Rodne, Rolfes, Sells, Simpson, Springer, B. Sullivan, Takko, Upthegrove, Wallace and Wood.

Staff: David Munnecke (786-7315).

Background:

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

When liability for a traffic infraction based on the identity of the vehicle is determined to reside in a vehicle registered to a car rental company, current law creates a 30-day window from the time the car rental company is informed of the traffic infraction. Within this time frame, the car rental company may either provide, under oath, the name and address of the person driving the vehicle or state, under oath, that they are unable to determine who was driving or renting the vehicle at the time the infraction occurred.

Mailing this statement to the issuing law enforcement agency within the 30-day window relieves the car rental company of liability for the infraction. In lieu of identifying the vehicle operator, the company may also choose to pay the applicable penalty.

A traffic infraction based on the identity of the vehicle is defined to include, but is not limited to, parking infractions, high-occupancy toll lane violations, and violations recorded by automated traffic safety cameras.

Summary of Bill:

A rental car business can avoid liability for an infraction when it is unable to determine who was driving or renting a vehicle when the infraction occurred only when the vehicle was stolen and the rental car business can provide a filed police report regarding the theft.

When the owner of a vehicle is a rental car business, parking infractions issued by private parking facilities based on a vehicle's identification are subject to the same statutory scheme applicable to infractions based on a vehicle's identification issued by law enforcement agencies.

EFFECT OF SENATE AMENDMENT(S):

Requires a rental car company to respond within 30 days of receiving notification of an infraction involving one of its vehicles in order to transfer or eliminate the responsibility for the infraction.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony:

(In support) This bill would require private parking infractions to be treated the same way as public parking infractions. Rental car companies receive hundreds of tickets a month, and this would allow the companies to place the responsibility for private infractions on the driver, where it belongs.

Currently it can be awhile before rental car companies receive the tickets and then inform law enforcement of the customer's identity. The rental car companies want to have the same right to inform the private parking companies of who the responsible party is, and they don't want to have to worry about handing the information over.

(Opposed) None.

Persons Testifying: (In support) Representative Appleton, prime sponsor; Gordon Walgren, Car and Truck Renting and Leasing Association; and Kelly Green, Enterprise Car Rental.

Persons Signed In To Testify But Not Testifying: None.