

1                   **MOTOR VEHICLE RENTAL COMPANY FEE DISCLOSURES**

2                                   2011 GENERAL SESSION

3                                   STATE OF UTAH

4                                   **Chief Sponsor: J. Stuart Adams**

5                                   House Sponsor: Ryan D. Wilcox

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7                   **LONG TITLE**

8                   **General Description:**

9                   This bill modifies provisions relating to motor vehicle rental companies.

10                  **Highlighted Provisions:**

11                  This bill:

12                  ▶ provides definitions;

13                  ▶ provides that a motor vehicle rental company may include separately stated  
14 surcharges, fees, or charges in a rental agreement, including motor vehicle license  
15 cost recovery fees, airport access fees, airport concession fees, and all applicable  
16 taxes;

17                  ▶ provides that if a motor vehicle rental company includes a motor vehicle license  
18 cost recovery fee as a separately stated charge in a rental transaction, the amount of  
19 the fee shall represent the motor vehicle rental company's good-faith estimate of the  
20 motor vehicle rental company's daily charge as calculated by the motor vehicle  
21 rental company to recover certain costs;

22                  ▶ provides that if the total amount of the motor vehicle license cost recovery fees  
23 collected by a motor vehicle rental company under this section in any calendar year  
24 exceeds certain costs for that calendar year, the motor vehicle rental company shall  
25 retain the excess amount and adjust the estimated average per vehicle fee for the  
26 following calendar year by the corresponding amount; and

27                  ▶ makes technical changes.



28 **Money Appropriated in this Bill:**

29 None

30 **Other Special Clauses:**

31 None

32 **Utah Code Sections Affected:**

33 ENACTS:

34 **13-48-101**, Utah Code Annotated 1953

35 **13-48-102**, Utah Code Annotated 1953

36 **13-48-103**, Utah Code Annotated 1953



38 *Be it enacted by the Legislature of the state of Utah:*

39 Section 1. Section **13-48-101** is enacted to read:

40 **Part 48. Motor Vehicle Rental Company Disclosure Act**

41 **13-48-101. Title.**

42 This part is known as the "Motor Vehicle Rental Company Disclosure Act."

43 Section 2. Section **13-48-102** is enacted to read:

44 **13-48-102. Definitions.**

45 As used in this section:

46 (1) "Motor vehicle license cost recovery fee" means a fee or charge that may be  
47 separately stated and charged on the short-term motor vehicle lease or rental contract in a  
48 motor vehicle lease or rental transaction originating in this state to recover the costs incurred by  
49 a motor vehicle rental company to license, title, register, obtain license plates for, and inspect  
50 rental motor vehicles.

51 (2) "Motor vehicle rental company" means any person or organization in the business  
52 of renting motor vehicles to the public.

53 Section 3. Section **13-48-103** is enacted to read:

54 **13-48-103. Motor vehicle rental company.**

55 (1) A motor vehicle rental company may include separately stated surcharges, fees, or  
56 charges in a rental agreement, including:

57 (a) motor vehicle license cost recovery fees;

58 (b) airport access fees;

59 (c) airport concession fees; and

60 (d) all applicable taxes.

61 (2) If a motor vehicle rental company includes a motor vehicle license cost recovery  
62 fee as a separately stated charge in a rental transaction, the amount of the fee shall represent the  
63 motor vehicle rental company's good-faith estimate of the motor vehicle rental company's daily  
64 charge as calculated by the motor vehicle rental company to recover its actual total annual  
65 motor vehicle titling, registration, obtaining license plates, and motor vehicle inspection and  
66 emission costs.

67 (3) If the total amount of the motor vehicle license cost recovery fees collected by a  
68 motor vehicle rental company under this section in any calendar year exceeds the motor vehicle  
69 rental company's actual costs to license, title, register, and obtain license plates for the motor  
70 vehicles and have the motor vehicles pass inspections and emissions for that calendar year, the  
71 motor vehicle rental company shall retain the excess amount and adjust the estimated average  
72 per motor vehicle license cost recovery fee for the following calendar year by the  
73 corresponding amount.

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**Legislative Review Note**  
as of 2-9-11 10:16 AM

**Office of Legislative Research and General Counsel**