

SB1730



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

SB1730

Introduced 2/9/2017, by Sen. Antonio Muñoz

SYNOPSIS AS INTRODUCED:

625 ILCS 27/15

Amends the Renter's Financial Responsibility and Protection Act. Provides that a rental car company may void a damage waiver if damage or loss to the rental vehicle results from the renter losing or otherwise failing to secure the rental vehicle's keys or any other act of negligence by the renter that would reasonably result in the damage or loss to the rental vehicle.

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A BILL FOR

1 AN ACT concerning transportation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Renter's Financial Responsibility and
5 Protection Act is amended by changing Section 15 as follows:

6 (625 ILCS 27/15)

7 Sec. 15. Prohibited practices.

8 (a) A rental company may not sell a damage waiver unless
9 the renter agrees to the damage waiver in writing at or prior
10 to the time the rental agreement is executed.

11 (b) A rental company may not void a damage waiver except
12 for one or more of the following reasons:

13 (1) Damage or loss while the rental vehicle is used to
14 carry persons or property for a charge or fee.

15 (2) Damage or loss during an organized or agreed upon
16 racing or speed contest or demonstration or pushing or
17 pulling activity in which the rental vehicle is actively
18 involved.

19 (3) Damage or loss that could reasonably be expected
20 from an intentional or criminal act of the driver other
21 than a traffic infraction.

22 (4) Damage or loss to any rental vehicle resulting from
23 any auto business operation, including but not limited to

1 repairing, servicing, testing, washing, parking, storing,
2 or selling of automobiles.

3 (5) Damage or loss occurring to a rental vehicle if the
4 rental contract is based on fraudulent or material
5 misrepresentation by the renter.

6 (6) Damage or loss arising out of the use of the rental
7 vehicle outside the continental United States when such use
8 is specifically prohibited in the rental agreement.

9 (7) Damage or loss occurring while the rental vehicle
10 is operated by a driver not permitted under the rental
11 agreement.

12 (8) Damage or loss occurring while the rental vehicle
13 is operated by a driver under the influence of alcohol,
14 other drug or drugs, intoxicating compound or compounds, or
15 any combination thereof and convicted of violating
16 subsection (a) of Section 11-501 of the Illinois Vehicle
17 Code.

18 (9) Damage or loss to the rental vehicle results from
19 the renter losing or otherwise failing to secure the rental
20 vehicle's keys or any other act of negligence by the renter
21 that would reasonably result in the damage or loss to the
22 rental vehicle.

23 (c) A rental company shall not charge more than \$12.50 per
24 full or partial 24 hour rental day for a collision damage
25 waiver prior to January 1, 2014. Beginning January 1, 2014, a
26 rental company shall not charge more than \$13.50 per full or

1 partial 24 hour rental day for a collision damage waiver.

2 (d) A rental company may offer a collision damage waiver on
3 any rental vehicle having a value in excess of a Manufacturer's
4 Suggested Retail Price (MSRP) of \$50,000; however, the
5 provisions of subsection (c) of this Section shall not apply to
6 collision damage waivers under this subsection (d).

7 (Source: P.A. 98-428, eff. 8-16-13; 99-201, eff. 10-1-15.)