



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
SB1740

Introduced 2/25/2005, by Sen. Terry Link

SYNOPSIS AS INTRODUCED:

625 ILCS 27/15

Amends the Renter's Financial Responsibility and Protection Act. Provides that a vehicle rental company may void a damage waiver with regard to damage or loss occurring while the rental vehicle was operated by a driver under the influence of alcohol, drugs, or intoxicating compounds, in violation of the DUI provisions of the Illinois Vehicle Code.

LRB094 05716 DRH 35768 b

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
24 repairing, servicing, testing, washing, parking, storing,
25 or selling of automobiles.

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

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

32 (7) Damage or loss occurring while the rental vehicle

1 is operated by a driver not permitted under the rental
2 agreement.

3 (8) Damage or loss occurring while the rental vehicle
4 is operated by a driver under the influence of alcohol,
5 other drug or drugs, intoxicating compound or compounds, or
6 any combination thereof, in violation of subsection (a) of
7 Section 11-501 of the Illinois Vehicle Code.

8 (c) A rental company shall not charge more than \$9 per full
9 or partial 24 hour rental day for a collision damage waiver if
10 the manufacturer's suggested retail price of the rental vehicle
11 type is not greater than \$30,000. A rental company shall not
12 charge more than \$12 per full or partial 24 hour rental day for
13 a collision damage waiver if the manufacturer's suggested
14 retail price of the rental vehicle type is greater than
15 \$30,000. On January 1, 2000, the maximum charges in this
16 subsection (c) shall be increased to \$9.50 and \$12.50,
17 respectively, and shall be subsequently increased to \$10 and
18 \$13 on January 1, 2001 and \$10.50 and \$13.50 on January 1,
19 2002.

20 (Source: P.A. 90-113, eff. 7-14-97.)