

CHAPTER 36

CONSUMER AND COMMERCIAL TRANSACTIONS

SENATE BILL 18-100

BY SENATOR(S) Neville T., Williams A., Aguilar, Cooke, Court, Crowder, Gardner, Guzman, Holbert, Jones, Kagan, Kefalas, Lundberg, Marble, Martinez Humenik, Moreno, Priola, Scott, Smallwood, Tate, Todd, Grantham;
also REPRESENTATIVE(S) Kraft-Tharp and Van Winkle, Beckman, Benavidez, Herod, Humphrey, Kennedy, Melton, Michaelson Jenet, Pabon, Salazar, Weissman, Winter, Duran.

AN ACT**CONCERNING DISCLOSURE OF ADDITIONAL MANDATORY CHARGES BY MOTOR VEHICLE RENTAL COMPANIES.**

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, 6-1-105, **amend** (1)(x) as follows:

6-1-105. Deceptive trade practices. (1) A person engages in a deceptive trade practice when, in the course of the person's business, vocation, or occupation, the person:

(x) Violates ~~the provisions of sections 6-1-203 to 6-1-205~~ 6-1-206 or of part 7 of this ~~article~~ ARTICLE 1;

SECTION 2. In Colorado Revised Statutes, **add** 6-1-206 as follows:

6-1-206. Additional mandatory charges - required disclosures - definitions.

(1) IF A MOTOR VEHICLE RENTAL COMPANY IMPOSES ADDITIONAL MANDATORY CHARGES, THE RENTAL COMPANY SHALL:

(a) PROVIDE A GOOD-FAITH ESTIMATE OF THE TOTAL CHARGES FOR THE ENTIRE RENTAL, INCLUDING ALL ADDITIONAL MANDATORY CHARGES, WHENEVER A QUOTE IS PROVIDED TO A POTENTIAL CUSTOMER. THE GOOD-FAITH ESTIMATE MAY EXCLUDE MILEAGE CHARGES AND CHARGES FOR OPTIONAL ITEMS THAT CANNOT BE DETERMINED PRIOR TO COMPLETING A RENTAL RESERVATION BASED ON THE INFORMATION PROVIDED BY THE POTENTIAL CUSTOMER.

Capital letters or bold & italic numbers indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

(b) DISCLOSE IN THE RENTAL CONTRACT PROVIDED TO THE RENTER THE TOTAL CHARGES FOR THE ENTIRE RENTAL, INCLUDING ALL ADDITIONAL MANDATORY CHARGES. TOTAL CHARGES FOR THE ENTIRE RENTAL DO NOT INCLUDE ANY CHARGES THAT CANNOT BE DETERMINED AT THE TIME THE RENTAL COMMENCES.

(2) AS USED IN THIS SECTION:

(a) "ADDITIONAL MANDATORY CHARGE" MEANS ANY SEPARATELY STATED CHARGES THAT A MOTOR VEHICLE RENTAL COMPANY REQUIRES A RENTER TO PAY THAT SPECIFICALLY RELATE TO THE OPERATION OF A RENTAL VEHICLE. "ADDITIONAL MANDATORY CHARGE" INCLUDES, BUT IS NOT LIMITED TO, A CUSTOMER FACILITY CHARGE, AIRPORT CONCESSION RECOVERY FEE, ROAD SAFETY PROGRAM FEE, VEHICLE LICENSE RECOVERY FEE, OR ANY GOVERNMENT IMPOSED TAXES OR FEES.

(b) "MOTOR VEHICLE" HAS THE MEANING SET FORTH IN SECTION 12-6-102.

(c) "MOTOR VEHICLE RENTAL COMPANY" HAS THE MEANING SET FORTH IN SECTION 10-1-102.

(d) "QUOTE" MEANS AN ESTIMATED COST OF RENTAL PROVIDED BY A MOTOR VEHICLE RENTAL COMPANY TO A POTENTIAL CUSTOMER BASED ON INFORMATION PROVIDED BY THE CUSTOMER, INCLUDING POTENTIAL DATES OF RENTAL, LOCATION, OR CLASS OF VEHICLE.

(e) "VEHICLE LICENSE RECOVERY FEE" MEANS A CHARGE TO RECOVER COSTS INCURRED BY A MOTOR VEHICLE RENTAL COMPANY TO LICENSE, TITLE, REGISTER, PLATE, OR INSPECT A RENTAL VEHICLE.

SECTION 3. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 8, 2018, if adjournment sine die is on May 9, 2018); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2018 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: March 15, 2018