AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

112TH CONGRESS
2D SESSION

S. 3502

To amend title 49, United States Code, to prohibit rental of motor vehicles under a safety recall because of a defect related to motor vehicle safety or noncompliance with an applicable motor vehicle safety standard until the defect or noncompliance is remedied, and for other purposes.

IN THE SENATE OF THE UNITED STATES

AUGUST 2, 2012

Mrs. BOXER (for herself and Mrs. FEINSTEIN) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

---

A BILL

To amend title 49, United States Code, to prohibit rental of motor vehicles under a safety recall because of a defect related to motor vehicle safety or noncompliance with an applicable motor vehicle safety standard until the defect or noncompliance is remedied, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Raechel and Jacqueline Houck Safe Rental Car Act of 2012''.

SEC. 2. APPLICATION OF MOTOR VEHICLE SAFETY STANDARDS TO CAR RENTAL COMPANIES.

(a) COVERED RENTAL VEHICLE AND RENTAL COMPANY DEFINED.—Section 30102(a) of title 49, United States Code, is amended—

(1) by redesignating paragraphs (1) through (11) as paragraphs (2), (3), (4), (5), (6), (7), (8), (9), (10), (12), and (13), respectively;

(2) by inserting before paragraph (2) (as so redesignated) the following:

''(1) 'covered rental vehicle' means a motor vehicle that—

''(A) is rated at 26,000 pounds gross vehicle weight or less;

''(B) is rented without a driver for an initial term of less than 4 months; and

''(C) is part of a motor vehicle fleet of 5 or more motor vehicles that is used for rental purposes by a rental company.''; and

(3) by inserting after paragraph (10) (as so redesignated) the following:

''(11) 'rental company' means a person who—

''(A) is engaged in the business of renting covered rental vehicles; and

"(B) uses for rental purposes a motor vehicle fleet of 5 or more covered rental vehicles.".

(b) NOTIFICATION BY RENTAL COMPANIES TO RENTERS.—

(1) IN GENERAL.—Section 30119 of such title is amended by adding at the end the following:

"(g) NOTIFICATION BY RENTAL COMPANY TO RENTER.—A rental company that receives a notification required under section 30118 of this title that includes the vehicle identification number of a covered rental vehicle during a period in which the vehicle is rented shall, as soon as practicable, contact the renter of the vehicle and any authorized driver of the vehicle for whom the rental company has immediate contact information to inform the renter and authorized driver of the defect or noncompliance.".

(2) REGULATIONS.—The Secretary of Transportation may not begin any process to promulgate regulations under subsection (g) of such section, as added by paragraph (1), until the date that is 3 years after the date of the enactment of this Act.

(c) LIMITATION ON SALES, LEASES, OR RENTALS BY RENTAL COMPANIES.—Section 30120(i) of such title is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A)—

(i) by inserting ", or the manufacturer has provided to a rental company notification about a covered rental vehicle (including the vehicle identification number for such vehicle) in the company's possession at the time of notification," after "time of notification"; and

(ii) by striking "the dealer may sell or lease" and inserting "the dealer or rental company may sell, lease, or rent"; and

(B) in subparagraph (A), by striking "under the sale or lease" and inserting "under the sale, lease, or rental agreement";

(2) in paragraph (2), by inserting "or rental company" after "a dealer"; and

(3) in the subsection heading by striking "OR LEASE" and inserting ", LEASE, OR RENTAL".

(d) PROHIBITION ON MAKING SAFETY DEVICES AND ELEMENTS INOPERATIVE.—Section 30122(b) of such title is amended by inserting "rental company," after "dealer," both places it appears.

(e) INSPECTIONS, INVESTIGATIONS, AND RECORDS.—

(1) MATTERS THAT CAN BE INSPECTED AND IMPOUNDMENT.—Subsection (c)(2) of section 30166 of such title is amended by striking ''or dealer'' both places it appears and inserting ''dealer, or rental company''.

(2) RECORDS AND MAKING REPORTS.—Subsection (e) of such section is amended by striking ''or dealer'' each place it appears and inserting ''dealer, or rental company''.

(3) PROVIDING COPIES OF COMMUNICATIONS ABOUT DEFECTS AND NONCOMPLIANCE.—Subsection (f) of such section is amended by inserting ''rental companies or other'' after ''dealers or to''.

(f) RESEARCH AUTHORITY.—The Secretary of Transportation may conduct a study of the effectiveness of the amendments made by this section and of other activities of rental companies (as defined in section 30102(a) of title 49, United States Code, as added by subsection (a)(2)) related to their use and disposition of motor vehicles that are the subject of a notification required under section 30118 of title 49, United States Code.

(g) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date that is 60 days after the date of enactment of this Act.

○