

SB 5338-S - DIGEST

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that, in the event a parking infraction is issued by a private parking facility and is based on a vehicle's identification, and the registered owner of the vehicle is a rental car business, the parking facility shall, before a notice of infraction may be issued, provide a written notice to the rental car business that a notice of infraction may be issued to the rental car business if the rental car business does not, within thirty days of receiving the written notice, provide to the parking facility by return mail: (1) A statement under oath stating the name and known mailing address of the individual driving or renting the vehicle when the infraction occurred; or

(2) A statement under oath that the business is unable to determine who was driving or renting the vehicle at the time the infraction occurred because the vehicle was stolen at the time of the infraction. A statement provided under this provision must be accompanied by a copy of a filed police report regarding the vehicle theft.

Declares that timely mailing of this statement to the parking facility relieves a rental car business of any liability under this act for the notice of infraction. In lieu of identifying the vehicle operator, the rental car business may pay the applicable penalty.