

HOUSE BILL REPORT

HB 2198

As Reported by House Committee On:
Transportation

Title: An act relating to requiring the availability of child restraint systems by rental car businesses.

Brief Description: Requiring rental car businesses to have a sufficient number of child restraint systems available to their customers.

Sponsors: Representatives Hudgins, Hinkle, Van De Wege, Hasegawa, Takko, Jacks, Appleton, Williams, Chase, Eddy, Morris, Roberts and White.

Brief History:

Committee Activity:

Transportation: 2/24/09, 2/27/09 [DPS].

Brief Summary of Substitute Bill

- Requires rental car businesses to have sufficient child restraint systems available to meet expected demand, which may be accomplished through contractual agreements between companies.
- Allows rental car customers who reserve a child restraint system to cancel the reservation without penalty and receive a full refund if the system is not provided within one hour of the customer's arrival at the rental location.

HOUSE COMMITTEE ON TRANSPORTATION

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 20 members: Representatives Clibborn, Chair; Liias, Vice Chair; Campbell, Eddy, Finn, Flannigan, Herrera, Johnson, Klippert, Moeller, Morris, Rolfes, Sells, Simpson, Springer, Takko, Upthegrove, Wallace, Williams and Wood.

Minority Report: Do not pass. Signed by 5 members: Representatives Roach, Ranking Minority Member; Rodne, Assistant Ranking Minority Member; Armstrong, Cox and Ericksen.

Staff: David Munnecke (786-7315)

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Background:

Under Washington law, a child must be restrained in a child restraint system until the child is eight years old, unless the child is 4 feet 9 inches or taller. The child restraint system must comply with standards of the U.S. Department of Transportation and must be secured in the vehicle in accordance with instructions of the vehicle manufacturer and the child restraint system manufacturer.

Rental car businesses are required to register with the Department of Licensing (DOL), and renew this registration annually. Rental cars must be titled and registered with the DOL, and identified at the time of registration with the rental car business number issued by the DOL. The DOL is empowered to conduct audits, investigations, and enforcement actions in relation to the statutory requirements for rental car businesses.

Summary of Substitute Bill:

Rental car businesses are required to have sufficient child restraint systems available to meet expected demand. This requirement may be met through contractual agreements between rental car businesses.

Rental car customers who reserve a child restraint system are allowed to cancel the reservation for the vehicle without penalty and receive a full refund if the child restraint system is not provided within one hour of the customer's arrival at the location where the customer expects to receive the vehicle.

Substitute Bill Compared to Original Bill:

The requirement that child restraint systems be provided for no additional charge is removed. Rental car customers who reserve a child restraint system are granted the right to cancel the reservation for a vehicle without penalty and receive a full refund if the child restraint system is not provided within one hour of the customer's arrival at the location where the customer expects to receive the vehicle.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date of Substitute Bill: The bill takes effect on January 1, 2010.

Staff Summary of Public Testimony:

(In support) It is fairly common for an individual with children to make a rental car reservation that includes a request for a car seat, and then not receive the car seat. The law in Washington is that all children must have a car seat, so a person who does not receive a car

seat as requested from a rental car company is forced to either cancel the reservation and go elsewhere or break the law. Car seats are relatively inexpensive items and the requirement to have them available can be met through pooling agreements, so car rental companies should be able to meet the requirements of the law fairly easily.

(Opposed) The term "sufficient" in the legislation needs to be defined so that the rental car companies have a better idea of how many car seats they need to have available. Enterprise Rent-a-Car now has 120 car seats available at SeaTac, of which approximately 40 percent are rented at any one time for \$8.95 per day. There are significant costs associated with the seats such as purchase, cleaning, and storage, but the company no longer has to meet requests for seats by borrowing from other rental companies.

Persons Testifying: (In support) Representative Hudgins, prime sponsor.

(Opposed) Jeff Gombosky, Vanguard Automotive Group; and Shane Skinner, Enterprise Rent-A-Car.

Persons Signed In To Testify But Not Testifying: None.