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HOUSE BILL 1431

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State of Washington

69th Legislature

2025 Regular Session

By Representatives Santos, Reeves, Pollet, and Ormsby

Read first time 01/20/25. Referred to Committee on Consumer Protection & Business.

1 AN ACT Relating to rental car company agreements; and amending  
2 RCW 47.04.310.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 47.04.310 and 2016 c 18 s 1 are each amended to read  
5 as follows:

6 (1) ((A)) Except as provided in subsection (2) of this section, a  
7 rental car company may include separately stated surcharges, fees, or  
8 charges in a rental agreement, which may include, but may not be in  
9 any way limited to, ~~((vehicle license cost recovery fees,))~~ child  
10 restraint system rental fees, airport-related recovery fees, and all  
11 applicable taxes~~((,))~~ and government surcharges that are directly  
12 imposed on a rental car customer by a federal, state, or local  
13 government agency, unit, or department.

14 (2) ~~((If a rental car company includes a vehicle license cost~~  
15 ~~recovery fee as a separately stated charge in a rental transaction,~~  
16 ~~the amount of the fee must represent the rental car company's good~~  
17 ~~faith estimate of the rental car company's average daily charge as~~  
18 ~~calculated by the rental car company to recover its actual total~~  
19 ~~annual rental car titling, registration, plating, and inspection~~  
20 ~~costs in the state of Washington.~~

1       ~~(3) If the total amount of the vehicle license cost recovery fees~~  
2 ~~collected by a rental car company under this section in any calendar~~  
3 ~~year exceeds the rental car company's actual costs in the state of~~  
4 ~~Washington to license, title, register, and plate rental cars and to~~  
5 ~~have such rental cars inspected for that calendar year, the rental~~  
6 ~~car company shall do both of the following:~~

7       ~~(a) Retain the excess amount; and~~

8       ~~(b) Adjust the estimated average per vehicle titling, licensing,~~  
9 ~~plating, inspecting, and registration charge for the following~~  
10 ~~calendar year by a corresponding amount.~~

11       ~~(4) Nothing in this section prevents a rental car company from~~  
12 ~~making adjustments to the vehicle license cost recovery fee during~~  
13 ~~the calendar year.)~~ A rental car company may not separately state a  
14 vehicle license cost recovery fee in a rental agreement.

15       (3) A rental car company may not state or imply to a rental car  
16 customer that the state of Washington imposes any vehicle license  
17 cost recovery fee on a rental car customer as part of a rental  
18 agreement.

19       (4) (a) A rental car company may describe in a rental agreement  
20 the rental car company's actual costs in the state of Washington to  
21 license, title, register, and plate rental cars and to have such  
22 rental cars inspected for that calendar year.

23       (b) A rental car company electing to describe the costs  
24 identified in (a) of this subsection in a rental agreement shall  
25 include a disclaimer with that information informing the rental car  
26 customer that all of the costs described are imposed exclusively on  
27 the rental car company and not imposed on the rental car customer by  
28 any governmental agency, unit, or department.

29       (5) The following definitions apply to this section unless the  
30 context clearly requires otherwise:

31       (a) "Child restraint system rental fee" means a charge that may  
32 be separately stated and charged on the rental contract in a car  
33 rental transaction originating in Washington state to recover the  
34 costs associated with providing child restraint systems;

35       (b) "Rental car" has the same meaning as defined in RCW  
36 48.115.005;

37       (c) "Rental car company" has the same meaning as defined in RCW  
38 48.115.005; and

39       (d) "Vehicle license cost recovery fee" means ((a)) any charge  
40 ((that may be separately stated and charged on the rental contract))

1 for a rental car transaction originating in Washington state to  
2 recover costs incurred in the state of Washington by a rental car  
3 company to license, title, register, plate, and inspect rental cars.

4 (6) (a) If a rental car company includes a child restraint system  
5 rental fee as a separately stated charge in a rental transaction, the  
6 amount of the fee must represent no more than the rental car  
7 company's good faith estimate of the rental car company's costs to  
8 provide a child restraint system.

9 (b) If a rental car customer pays a child restraint system rental  
10 fee and the child restraint system is not available in a timely  
11 manner, as determined by the rental car customer, but in no case less  
12 than one hour after the arrival of the customer at the location where  
13 the customer receives the vehicle or vehicles, (i) the customer may  
14 cancel any reservation or other agreement for the rental of the  
15 vehicle or vehicles, (ii) any costs or penalties associated with the  
16 cancellation are void, and (iii) the customer is entitled to a full  
17 refund of any costs associated with the rental of the vehicle or  
18 vehicles.

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