



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB5084

Introduced 2/18/2020, by Rep. Arthur Turner

SYNOPSIS AS INTRODUCED:

625 ILCS 27/15

Amends the Renter's Financial Responsibility and Protection Act. Provides that a rental company may void a damage waiver for damage or loss to the rental vehicle if the rental vehicle is stolen and the renter fails to: (i) return the rental vehicle's ignition key and the key tag identifying the rental vehicle to the rental vehicle company; (ii) file a police report within the 24-hour period after discovery of the rental vehicle theft; and (iii) fully cooperate with the rental company, law enforcement agency, or any other authority in all matters connected to the investigation of the stolen rental vehicle.

LRB101 18067 LNS 67505 b

1 AN ACT concerning transportation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Renter's Financial Responsibility and
5 Protection Act is amended by changing Section 15 as follows:

6 (625 ILCS 27/15)

7 Sec. 15. Prohibited practices.

8 (a) A rental company may not sell a damage waiver unless
9 the renter agrees to the damage waiver in writing at or prior
10 to the time the rental agreement is executed.

11 (b) A rental company may not void a damage waiver except
12 for one or more of the following reasons:

13 (1) Damage or loss while the rental vehicle is used to
14 carry persons or property for a charge or fee.

15 (2) Damage or loss during an organized or agreed upon
16 racing or speed contest or demonstration or pushing or
17 pulling activity in which the rental vehicle is actively
18 involved.

19 (3) Damage or loss that could reasonably be expected
20 from an intentional or criminal act of the driver other
21 than a traffic infraction.

22 (4) Damage or loss to any rental vehicle resulting from
23 any auto business operation, including but not limited to

1 repairing, servicing, testing, washing, parking, storing,
2 or selling of automobiles.

3 (5) Damage or loss occurring to a rental vehicle if the
4 rental contract is based on fraudulent or material
5 misrepresentation by the renter.

6 (6) Damage or loss arising out of the use of the rental
7 vehicle outside the continental United States when such use
8 is specifically prohibited in the rental agreement.

9 (7) Damage or loss occurring while the rental vehicle
10 is operated by a driver not permitted under the rental
11 agreement.

12 (8) Damage or loss occurring while the rental vehicle
13 is operated by a driver under the influence of alcohol,
14 other drug or drugs, intoxicating compound or compounds, or
15 any combination thereof and convicted of violating
16 subsection (a) of Section 11-501 of the Illinois Vehicle
17 Code.

18 (9) Damage or loss to the rental vehicle if the rental
19 vehicle is stolen and the renter fails to: (i) return the
20 rental vehicle's ignition key and the key tag identifying
21 the rental vehicle to the rental vehicle company; (ii) file
22 a police report within the 24-hour period after discovery
23 of the rental vehicle theft; and (iii) fully cooperate with
24 the rental company, law enforcement agency, or any other
25 authority in all matters connected to the investigation of
26 the stolen rental vehicle.

1 (c) (Blank).

2 (d) (Blank).

3 (Source: P.A. 99-201, eff. 10-1-15; 100-312, eff. 1-1-18.)