1	H. B. 4611
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3	(By Delegates T. Campbell, Butcher, Evans, Hatfield and Pasdon)
5	[Introduced February 17, 2012; referred to the
6	Committee on Roads and Transportation then the
7	Judiciary.]
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10	A BILL to amend the Code of West Virginia, 1931, as amended, by
11	adding thereto a new section, designated \$17A-6D-16, relating
12	to motor vehicle administration; daily passenger rental car
13	business; and allowing rental vehicle contracts to include a
14	vehicle licensing cost recovery fee.
15	Be it enacted by the Legislature of West Virginia:
16	That the Code of West Virginia, 1931, as amended, be amended
17	by adding thereto a new section, designated \$17A-6D-16, to read as
18	follows:
19	ARTICLE 6D. DAILY PASSENGER RENTAL CAR BUSINESS.
20	§17A-6D-16. Vehicle license cost recovery fee charged by daily
21	passenger rental car company.
22	(a) As used in this section:
23	(1) "Vehicle license costs" means the costs incurred by a
24	daily passenger rental car company for licensing, titling,
2.5	registration, property tax, plating and inspecting rental motor

## 1 vehicles; and

- 2 (2) "Vehicle license cost recovery fee" means a charge on a
- 3 vehicle rental transaction originating within this state that is
- 4 separately stated on the rental agreement to recover vehicle
- 5 license costs.
- 6 (b) Method for vehicle cost recovery.
- 7 (1) If a daily passenger car rental company includes a vehicle
- 8 <u>license cost recovery fee as a separately stated charge in a rental</u>
- 9 transaction, the amount of the fee shall represent the company's
- 10 good-faith estimate of the daily passenger rental car daily charge
- 11 to recover its actual total annual vehicle license costs.
- 12 (2) If the total amount of the vehicle license cost recovery
- 13 fees collected by a daily passenger rental car company under this
- 14 section in any calendar year exceeds the company's actual vehicle
- 15 license costs, the daily passenger car rental company shall:
- 16 (A) Retain the excess amount; and
- 17 (B) Adjust the vehicle cost recovery fee for the following
- 18 calendar year by a corresponding amount.
- 19 (c) Nothing in this section may prevent a daily passenger car
- 20 rental company from including, or making adjustments during the
- 21 calendar year to, separately stated surcharges, fees or charges in
- 22 the rental agreement, which may include, but are not limited to,
- 23 vehicle license cost recovery fees, airport access fees, airport
- 24 concession fees, consolidated facility charges and all applicable

## 1 taxes.

NOTE: The purpose of this bill is to allow rental vehicle contracts to include a vehicle licensing cost recovery fee.

\$17A-6D-16 is new; therefore, it has been completely underscored.