

**Senate Bill No. 613**

(By Senator Beach)

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[Introduced February 16, 2012; referred to the Committee on Transportation and Infrastructure; and then to the Committee on Finance.]

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A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §17A-6D-16, relating to motor vehicle administration; daily passenger rental car business; and allowing rental vehicle contracts to include a vehicle licensing cost recovery fee.

*Be it enacted by the Legislature of West Virginia:*

That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new section, designated §17A-6D-16, to read as follows:

**ARTICLE 6D. DAILY PASSENGER RENTAL CAR BUSINESS.**

**§17A-6D-16. Vehicle license cost recovery fee charged by daily passenger rental car company.**

(a) As used in this section:

1 (1) "Vehicle license costs" means the costs incurred by a  
2 daily passenger rental car company for licensing, titling,  
3 registration, property tax, plating and inspecting rental motor  
4 vehicles; and

5 (2) "Vehicle license cost recovery fee" means a charge on a  
6 vehicle rental transaction originating within this state that is  
7 separately stated on the rental agreement to recover vehicle  
8 license costs.

9 (b) *Method for vehicle cost recovery.*

10 (1) If a daily passenger car rental company includes a vehicle  
11 license cost recovery fee as a separately stated charge in a rental  
12 transaction, the amount of the fee shall represent the company's  
13 good-faith estimate of the daily passenger rental car daily charge  
14 to recover its actual total annual vehicle license costs.

15 (2) If the total amount of the vehicle license cost recovery  
16 fees collected by a daily passenger rental car company under this  
17 section in any calendar year exceeds the company's actual vehicle  
18 license costs, the daily passenger car rental company shall:

19 (A) Retain the excess amount; and

20 (B) Adjust the vehicle cost recovery fee for the following  
21 calendar year by a corresponding amount.

22 (c) Nothing in this section may prevent a daily passenger car  
23 rental company from including, or making adjustments during the  
24 calendar year to, separately stated surcharges, fees or charges in

1 the rental agreement, which may include, but are not limited to,  
2 vehicle license cost recovery fees, airport access fees, airport  
3 concession fees, consolidated facility charges and all applicable  
4 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, strike-throughs and underscoring have been omitted.