

SENATE BILL NO. 102—SENATOR NEAL

FEBRUARY 12, 2001

Referred to Committee on Transportation

SUMMARY—Limits amount short-term lessor of motor vehicles may charge lessee for waiver of damages and optional insurance. (BDR 43-741)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to leases of motor vehicles; limiting the amount a short-term lessor may charge a lessee for a waiver of damages and optional insurance; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** NRS 482.31565 is hereby amended to read as follows:

2 482.31565 1. A short-term lessor shall not require the purchase of a
3 waiver of damages, optional insurance or any other optional good or
4 service as a condition for the lease of a passenger car.

5 2. A short-term lessor may sell a waiver of damages but shall not
6 charge *a cumulative sum of* more than \$10 per full or partial 24-hour
7 rental period for the waiver ~~+~~ *and any optional insurance provided*
8 *pursuant to NRS 482.3158.*

9 3. A short-term lessor who disseminates an advertisement in the State
10 of Nevada that contains a rate for the lease of a passenger car shall include
11 in the advertisement a clearly readable statement of the charge for a waiver
12 of damages and a statement that the waiver is optional.

13 4. A short-term lessor shall not engage in any unfair, deceptive or
14 coercive conduct to induce a short-term lessee to purchase a waiver of
15 damages, optional insurance or any other optional good or service,
16 including, but not limited to, refusing to honor the lessee's reservation,
17 limiting the availability of cars, requiring a deposit or debiting or blocking
18 the lessee's credit card account for a sum equivalent to a deposit if the
19 lessee declines to purchase a waiver, optional insurance or any other
20 optional good or service.

21 **Sec. 2.** NRS 482.3158 is hereby amended to read as follows:

22 482.3158 1. The short-term lessor of a passenger car may impose an
23 additional charge:



- 1 (a) Based on reasonable age criteria established by the lessor.
- 2 (b) For any item or a service provided if the short-term lessee could
- 3 have avoided incurring the charge by choosing not to obtain or utilize the
- 4 optional item or service.
- 5 (c) For insurance and accessories requested by the lessee ~~+~~ *but shall*
- 6 *not charge a cumulative sum of more than \$10 per full or partial 24-hour*
- 7 *rental period for insurance and any waiver of damages provided*
- 8 *pursuant to NRS 482.31565.*
- 9 (d) For service incident to the lessee's optional return of the car to a
- 10 location other than the location where the car was leased.
- 11 (e) For refueling the car at the conclusion of the lease if the lessee did
- 12 not return the car with as much fuel as was in the fuel tank at the beginning
- 13 of the lease.
- 14 2. A short-term lessor shall not charge a short-term lessee, as a
- 15 condition of leasing a passenger car, an additional fee for:
- 16 (a) Any surcharges required for fuel.
- 17 (b) Transporting the lessee to the location where the car will be
- 18 delivered to the lessee.
- 19 (c) Any other authorized driver.
- 20 3. If a short-term lessor:
- 21 (a) Delivers a passenger car to a short-term lessee at a location other
- 22 than the location where the lessor normally carries on its business, the
- 23 lessor shall not charge the lessee any amount for the period before the
- 24 delivery of the car.
- 25 (b) Takes possession of a passenger car from a short-term lessee at a
- 26 location other than the location where the lessor normally carries on its
- 27 business, the lessor shall not charge the lessee any amount for the period
- 28 after the lessee notifies the lessor to take possession of the car.

