**A** **BILL**

TO AMEND SECTION 56‑31‑30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO VEHICLE RENTAL COMPANIES, SO AS TO PROVIDE REQUIREMENTS FOR OPTIONAL AUTOMOBILE INSURANCE COVERAGE FOR VEHICLE RENTALS, TO PROVIDE REQUIREMENTS FOR RENTAL VEHICLE INSPECTIONS, AND TO PROVIDE PENALTIES FOR VIOLATIONS.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 56‑31‑30 of the 1976 Code is amended to read:

“Section 56‑31‑30. (A) A rental company may advertise, quote, or charge only a rental rate that includes the entire amount, except taxes, airport fees, and a mileage charge, if any, that a renter pays to rent the vehicle or rental vehicle for the period of time to which the rate applies. Airport fees must be disclosed clearly and conspicuously in all advertisements of a rental rate for an applicable location either as a specific fee or as a range of fees. Only airport fees that are remitted to the airport management entity are permitted to be separately stated and collected. The company may charge an additional fee for an item or service provided for in the rental agreement if the charge is optional for the renter. The items and services include, but are not limited to, insurance and accessories requested by the renter unless otherwise prohibited as provided in this chapter, charges incident to the renter’s optional return of the vehicle or rental vehicle to a location other than to where it was rented, and charges for refueling the vehicle or rental vehicle at the conclusion of the rental period if the renter did not return the vehicle or rental vehicle with the same amount of fuel that was in the vehicle at the beginning of the rental period. A company also may impose an additional charge based on reasonable age criteria it establishes.

(B) If a rental company delivers a vehicle or rental vehicle to a renter at a location other than where the company normally conducts its business, the company may not charge for the rental for the time before the vehicle or rental vehicle is delivered. If the company picks up a rented vehicle or rental vehicle from a renter at a location other than the location where the company normally conducts its business, the company may not charge for the rental for the time after the rental company has been notified that the vehicle or rental vehicle is available.

(C) If a rental company quotes a rental rate in a personal or computer communication or a print advertisement, it shall disclose the terms of mileage conditions relating to the rate including, but not limited to, the amount of mileage and fuel charges, the number of miles for which no charge is imposed, and a description of geographic driving limitations, if any.

(D) A rental company shall request proof of automobile insurance from a renter and receive his negative response before it may mention or sell optional automobile insurance to the renter. If the renter provides an affirmative response, proof of automobile insurance, or both, the rental company is prohibited from offering or otherwise mentioning the availability of optional automobile insurance and may not sell or otherwise provide such optional automobile insurance to the renter.

(E) A rental company shall make a digital video recording of the condition of a rental vehicle at the beginning and end of the rental period, and provide a copy of these video recordings to the renter within twenty‑four hours after the end of the rental period. A rental company may not hold a renter liable for any damage that is not evidenced by a recording made in this manner, offered to the renter, and provided to the renter upon request pursuant to the requirements of this section. A rental company shall retain copies of these recordings for a period of three years and make them available to the renter upon request.

(F) A waiver of the requirements of the provisions of this section is unenforceable as contrary to public policy.

(G) A violation of this section is an unfair trade practice as defined in Section 39‑5‑20 and is subject to the provisions of Sections 39‑5‑110 to 39‑5‑160.”

SECTION 2. This act takes effect upon approval by the Governor.

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