

112TH CONGRESS  
2D SESSION

# S. 3502

To amend title 49, United States Code, to prohibit rental of motor vehicles under a safety recall because of a defect related to motor vehicle safety or noncompliance with an applicable motor vehicle safety standard until the defect or noncompliance is remedied, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

AUGUST 2, 2012

Mrs. BOXER (for herself and Mrs. FEINSTEIN) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

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## A BILL

To amend title 49, United States Code, to prohibit rental of motor vehicles under a safety recall because of a defect related to motor vehicle safety or noncompliance with an applicable motor vehicle safety standard until the defect or noncompliance is remedied, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Raechel and Jacqueline  
5       Houck Safe Rental Car Act of 2012”.

1 **SEC. 2. APPLICATION OF MOTOR VEHICLE SAFETY STAND-**  
 2 **ARDS TO CAR RENTAL COMPANIES.**

3 (a) COVERED RENTAL VEHICLE AND RENTAL COM-  
 4 PANY DEFINED.—Section 30102(a) of title 49, United  
 5 States Code, is amended—

6 (1) by redesignating paragraphs (1) through  
 7 (11) as paragraphs (2), (3), (4), (5), (6), (7), (8),  
 8 (9), (10), (12), and (13), respectively;

9 (2) by inserting before paragraph (2) (as so re-  
 10 designated) the following:

11 “(1) ‘covered rental vehicle’ means a motor ve-  
 12 hicle that—

13 “(A) is rated at 26,000 pounds gross vehi-  
 14 cle weight or less;

15 “(B) is rented without a driver for an ini-  
 16 tial term of less than 4 months; and

17 “(C) is part of a motor vehicle fleet of 5  
 18 or more motor vehicles that is used for rental  
 19 purposes by a rental company.”; and

20 (3) by inserting after paragraph (10) (as so re-  
 21 designated) the following:

22 “(11) ‘rental company’ means a person who—

23 “(A) is engaged in the business of renting  
 24 covered rental vehicles; and

1                   “(B) uses for rental purposes a motor ve-  
 2                   hicle fleet of 5 or more covered rental vehi-  
 3                   cles.”.

4           (b) NOTIFICATION BY RENTAL COMPANIES TO RENT-  
 5   ERS.—

6                   (1) IN GENERAL.—Section 30119 of such title  
 7           is amended by adding at the end the following:

8           “(g) NOTIFICATION BY RENTAL COMPANY TO  
 9   RENTER.—A rental company that receives a notification  
 10   required under section 30118 of this title that includes  
 11   the vehicle identification number of a covered rental vehi-  
 12   cle during a period in which the vehicle is rented shall,  
 13   as soon as practicable, contact the renter of the vehicle  
 14   and any authorized driver of the vehicle for whom the  
 15   rental company has immediate contact information to in-  
 16   form the renter and authorized driver of the defect or non-  
 17   compliance.”.

18                   (2) REGULATIONS.—The Secretary of Trans-  
 19           portation may not begin any process to promulgate  
 20           regulations under subsection (g) of such section, as  
 21           added by paragraph (1), until the date that is 3  
 22           years after the date of the enactment of this Act.

23           (c) LIMITATION ON SALES, LEASES, OR RENTALS BY  
 24   RENTAL COMPANIES.—Section 30120(i) of such title is  
 25   amended—

1 (1) in paragraph (1)—

2 (A) in the matter preceding subparagraph

3 (A)—

4 (i) by inserting “, or the manufac-  
 5 turer has provided to a rental company no-  
 6 tification about a covered rental vehicle  
 7 (including the vehicle identification number  
 8 for such vehicle) in the company’s posses-  
 9 sion at the time of notification,” after  
 10 “time of notification”; and

11 (ii) by striking “the dealer may sell or  
 12 lease” and inserting “the dealer or rental  
 13 company may sell, lease, or rent”; and

14 (B) in subparagraph (A), by striking  
 15 “under the sale or lease” and inserting “under  
 16 the sale, lease, or rental agreement”;

17 (2) in paragraph (2), by inserting “or rental  
 18 company” after “a dealer”; and

19 (3) in the subsection heading by striking “OR  
 20 LEASE” and inserting “, LEASE, OR RENTAL”.

21 (d) PROHIBITION ON MAKING SAFETY DEVICES AND  
 22 ELEMENTS INOPERATIVE.—Section 30122(b) of such title  
 23 is amended by inserting “rental company,” after “dealer,”  
 24 both places it appears.

1       (e)       INSPECTIONS,       INVESTIGATIONS,       AND  
2 RECORDS.—

3               (1) MATTERS THAT CAN BE INSPECTED AND  
4 IMPOUNDMENT.—Subsection (c)(2) of section 30166  
5 of such title is amended by striking “or dealer” both  
6 places it appears and inserting “dealer, or rental  
7 company”.

8               (2) RECORDS AND MAKING REPORTS.—Sub-  
9 section (e) of such section is amended by striking  
10 “or dealer” each place it appears and inserting  
11 “dealer, or rental company”.

12              (3) PROVIDING COPIES OF COMMUNICATIONS  
13 ABOUT DEFECTS AND NONCOMPLIANCE.—Subsection  
14 (f) of such section is amended by inserting “rental  
15 companies or other” after “dealers or to”.

16       (f) RESEARCH AUTHORITY.—The Secretary of  
17 Transportation may conduct a study of the effectiveness  
18 of the amendments made by this section and of other ac-  
19 tivities of rental companies (as defined in section 30102(a)  
20 of title 49, United States Code, as added by subsection  
21 (a)(2)) related to their use and disposition of motor vehi-  
22 cles that are the subject of a notification required under  
23 section 30118 of title 49, United States Code.

1       (g) EFFECTIVE DATE.—The amendments made by  
2 this section shall take effect on the date that is 60 days  
3 after the date of enactment of this Act.

