



Rep. Tracy Katz Muhl

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10400HB3351ham001

LRB104 12190 SPS 24102 a

1 AMENDMENT TO HOUSE BILL 3351

2 AMENDMENT NO. _____. Amend House Bill 3351 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the
5 Rental Age Protection Act.

6 Section 5. Definitions. As used in this Act:

7 "Automobile rental company" means a person or entity whose
8 primary business is renting motor vehicles to the public for
9 30 days or less.

10 "Lodging establishment" means any building or buildings
11 maintained, advertised, and held out to the public to be a
12 place where lodging is offered for consideration to travelers
13 and guests. "Lodging establishment" includes hotels, inns,
14 motels, tourist homes or courts, and lodging houses.

15 "Motor vehicle" means a motor vehicle as defined in the
16 Illinois Vehicle Code that a person with a Class D driver's

1 license may operate.

2 "Person" means a natural person, corporation, partnership,
3 trust, or other entity, and in the case of an entity, it shall
4 include any other entity in which it has a majority interest or
5 which it effectively controls as well as the individual
6 officers, directors, and other persons in active control of
7 the activities of each such entity.

8 Section 10. Automobile rental companies. It is unlawful
9 for an automobile rental company to refuse to rent a motor
10 vehicle to any person 18 years of age or older. An automobile
11 rental company may require a person under 21 years of age to
12 provide proof of comprehensive liability insurance, pay an
13 increased rental fee, or provide an increased rental deposit.
14 Nothing in this Section prohibits an automobile rental company
15 from requiring a person to provide documentation confirming
16 the age of that person before entering into a rental
17 agreement.

18 Section 15. Lodging establishments. It is unlawful for a
19 lodging establishment to charge a person a higher rate than
20 the regular rate charged to rent a room on the basis of age. A
21 lodging establishment may offer a waiver to a parent or
22 guardian of a person under 21 years of age in order for the
23 lodging establishment to rent a room to the person under 21
24 years of age. Nothing in this Section prohibits a lodging

1 establishment from requiring a person to provide documentation
2 confirming the age of that person before entering into a
3 rental agreement.

4 Section 20. Enforcement by Attorney General. A violation
5 of any of the provisions of this Act is an unlawful practice
6 under the Consumer Fraud and Deceptive Business Practices Act.
7 All remedies, penalties, and authority granted to the Attorney
8 General by that Act shall be available to him or her for the
9 enforcement of this Act.

10 Section 90. The Renter's Financial Responsibility and
11 Protection Act is amended by changing Section 10 as follows:

12 (625 ILCS 27/10)

13 Sec. 10. Definitions. As used in this Act:

14 "Rental Company" means a person or entity that rents
15 private passenger vehicles to the public for 30 days or less.

16 "Renter" means a person or entity that obtains the use of a
17 private passenger vehicle from a rental company under terms of
18 a rental agreement.

19 "Rental Agreement" means an agreement for 30 days or less
20 setting forth the terms and conditions governing the use of a
21 private passenger vehicle provided by a rental company.

22 "Authorized Driver" means: the renter; the renter's spouse
23 if the spouse is a licensed driver ~~and satisfies the rental~~

1 ~~company's minimum age requirement;~~ the renter's employer,
2 employee, or co-worker if that person is a licensed driver,
3 ~~satisfies the rental company's minimum age requirement,~~ and at
4 the time of the rental is engaged in a business activity with
5 the renter; any person who is expressly listed by the rental
6 company on the rental agreement as an authorized driver; and
7 any person driving directly to a medical or police facility
8 under circumstances reasonably believed to constitute an
9 emergency and who is a licensed driver.

10 "Damage Waiver" means a rental company's agreement not to
11 hold an authorized driver liable for all or a part of any
12 damage to or loss of a rented vehicle for which the renter may
13 be liable pursuant to Section 6-305.2. "Damage Waiver" shall
14 encompass within its meaning other similar terms used by
15 rental companies, such as "Collision Damage Waiver", "Loss
16 Damage Waiver", "Physical Damage Waiver", and the like.

17 (Source: P.A. 90-113, eff. 7-14-97.)

18 Section 95. The Consumer Fraud and Deceptive Business
19 Practices Act is amended by adding Section 2HHHH as follows:

20 (815 ILCS 505/2HHHH new)

21 Sec. 2HHHH. Violations of the Rental Age Protection Act. A
22 person who violates the Rental Age Protection Act commits an
23 unlawful practice within the meaning of this Act."