

1 AN ACT concerning transportation.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Renter's Financial Responsibility and  
5 Protection Act is amended by changing Section 15 as follows:

6 (625 ILCS 27/15)

7 Sec. 15. Prohibited practices.

8 (a) A rental company may not sell a damage waiver unless  
9 the renter agrees to the damage waiver in writing at or prior  
10 to the time the rental agreement is executed.

11 (b) A rental company may not void a damage waiver except  
12 for one or more of the following reasons:

13 (1) Damage or loss while the rental vehicle is used to  
14 carry persons or property for a charge or fee.

15 (2) Damage or loss during an organized or agreed upon  
16 racing or speed contest or demonstration or pushing or  
17 pulling activity in which the rental vehicle is actively  
18 involved.

19 (3) Damage or loss that could reasonably be expected  
20 from an intentional or criminal act of the driver other  
21 than a traffic infraction.

22 (4) Damage or loss to any rental vehicle resulting from  
23 any auto business operation, including but not limited to  
24 repairing, servicing, testing, washing, parking, storing,  
25 or selling of automobiles.

26 (5) Damage or loss occurring to a rental vehicle if the  
27 rental contract is based on fraudulent or material  
28 misrepresentation by the renter.

29 (6) Damage or loss arising out of the use of the rental  
30 vehicle outside the continental United States when such use  
31 is specifically prohibited in the rental agreement.

32 (7) Damage or loss occurring while the rental vehicle

1 is operated by a driver not permitted under the rental  
2 agreement.

3 (8) Damage or loss occurring while the rental vehicle  
4 is operated by a driver under the influence of alcohol,  
5 other drug or drugs, intoxicating compound or compounds, or  
6 any combination thereof, in violation of subsection (a) of  
7 Section 11-501 of the Illinois Vehicle Code.

8 (c) A rental company shall not charge more than \$9 per full  
9 or partial 24 hour rental day for a collision damage waiver if  
10 the manufacturer's suggested retail price of the rental vehicle  
11 type is not greater than \$30,000. A rental company shall not  
12 charge more than \$12 per full or partial 24 hour rental day for  
13 a collision damage waiver if the manufacturer's suggested  
14 retail price of the rental vehicle type is greater than  
15 \$30,000. On January 1, 2000, the maximum charges in this  
16 subsection (c) shall be increased to \$9.50 and \$12.50,  
17 respectively, and shall be subsequently increased to \$10 and  
18 \$13 on January 1, 2001 and \$10.50 and \$13.50 on January 1,  
19 2002.

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