

# **WEST VIRGINIA LEGISLATURE**

**2018 REGULAR SESSION**

**Introduced**

## **Senate Bill 577**

BY SENATORS WELD AND CLINE

[Introduced February 16, 2018; Referred  
to the Committee on Economic Development]

1 A BILL to amend and reenact §17B-4-6 of the Code of West Virginia, 1931, as amended, relating  
 2 to renting of motor vehicles; and allowing commercial rental car providers and vehicle  
 3 rental program providers to rent motor vehicles by electronic means without making an in-  
 4 person, physical inspection of the driver’s license of the renter.

*Be it enacted by the Legislature of West Virginia:*

**ARTICLE 4. VIOLATION OF LICENSE PROVISIONS.**

**§17B-4-6. Renting motor vehicle to another.**

1 (a) As used in this section:

2 (1) “Rental car provider” means any person or entity in the business of facilitating the rental  
 3 of primarily passenger vehicles to the public under a rental agreement for a period not to exceed  
 4 90 days; and

5 (2) “Private vehicle rental program provider” means a corporation, sole proprietorship, or  
 6 other entity or person that is responsible for operating, facilitating, or administering the rental of  
 7 private motor vehicles, which are insured under a personal automobile liability insurance policy,  
 8 by any means, digital or otherwise.

9 (b) No person shall rent a motor vehicle to any other person unless the latter person is  
 10 then duly licensed hereunder or, in the case of a nonresident, then duly licensed under the laws  
 11 of the state or country of his or her residence.

12 (c) No person shall rent a motor vehicle to another until he or she has inspected the  
 13 operator's or chauffeur's license of the person to whom the vehicle is to be rented and compared  
 14 and verified the signature thereon with the signature of such person written in his or her presence.

15 (d) Every person renting a motor vehicle to another shall keep a record of the registration  
 16 number of the motor vehicle so rented, the name and address of the person to whom the vehicle  
 17 is rented, the number of the license of said latter person, and the date and place when and where  
 18 said license was issued. Such record shall be open to inspection by any police officer or officer  
 19 or employee of the department.

20 (e) In the event a rental car provider, including a vehicle rental program provider, facilitates  
21 rentals via digital, electronic, or other means that allow customers to obtain possession of a  
22 vehicle without in-person contact with an agent or employee of the provider, or where the renter  
23 does not execute a rental contract at the time of rental, the provider shall be deemed to have met  
24 all obligations to physically inspect and compare a renters driver license pursuant to this article  
25 when such provider:

26 (1) At the time a renter enrolls, or any time thereafter, in a membership program, master  
27 agreement, or other means of establishing use of the provider's services, requires verification that  
28 the renter is a licensed driver; or

29 (2) Prior to the renter's taking possession of the rental vehicle, the provider requires  
30 documentation that verifies the renter's identity.

NOTE: The purpose of this bill is to allow commercial rental car providers and vehicle rental program providers to rent motor vehicles through online systems and other electronic means without making an in-person, physical inspection of the driver's license of the renter.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.