

MICHIGAN CONSUMER PROTECTION ACT (EXCERPT)
Act 331 of 1976

445.903h Vehicle rental transaction; inclusion of vehicle license cost recovery fee; amount; fee in excess of costs; duties of car rental company; definitions.

Sec. 3h.

(1) At the time a car rental company provides a consumer with a price quote or estimate for a vehicle rental transaction, and in the rental agreement, the car rental company shall do either of the following:

- (a) Provide an estimated total price for the vehicle rental transaction.
- (b) Disclose the existence of any vehicle license cost recovery fee and any other separately stated mandatory fee.

(2) If a vehicle license cost recovery fee is included as a separately stated mandatory fee in a vehicle rental transaction, the amount of the fee shall be based on the car rental company's good-faith estimate of the car rental company's average per vehicle portion of the total annual costs to license, title, and register its vehicles. If the total amount of the vehicle license recovery fees collected by a car rental company under this section in any calendar year exceeds the car rental company's actual costs to license, title, and register rental vehicles for that calendar year, the car rental company shall do both of the following:

- (a) Retain the excess amount.
- (b) Adjust the vehicle license recovery fees for the following calendar year by reducing the fees by an amount equal to the excess amount collected in the preceding calendar year.

(3) As used in this section:

(a) "Car rental company" means a person whose primary business is renting vehicles to consumers under rental agreements for periods of 90 days or less.

(b) "Estimated total price" means an estimated total for a vehicle rental transaction based on the duration of the vehicle rental transaction, the rental rate, and any mandatory fees.

(c) "Mandatory fee" means a fee, charge, or surcharge that a car rental company includes in every vehicle rental transaction. A fee, charge, or surcharge associated with optional products and services available for purchase by a consumer at the time of rental is not a mandatory fee.

(d) "Vehicle" means a motor vehicle as defined in section 33 of the Michigan vehicle code, 1949 PA 300, MCL 257.33.

(e) "Vehicle license cost recovery fee" means a charge that may be included in a vehicle rental transaction originating in this state to recover costs incurred by a car rental company to license, title, and register rental vehicles.

History: Add. 2008, Act 310, Imd. Eff. Dec. 18, 2008