

§2927. Personal automobile insurance; rental vehicle coverage

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Authorized driver" means:

- (1) The renter;
- (2) The renter's spouse, if that person is a licensed driver meeting the rental company's minimum age requirement;
- (3) The renter's employer or coworker, if that person is engaged in business activity with the renter and is a licensed driver meeting the rental company's minimum age requirement;
- (4) A person who operates the vehicle during an emergency or while parking the vehicle in the course of that person's employment at a commercial establishment; or
- (5) A person listed by the rental company on the rental agreement as an authorized driver. [PL 1991, c. 335 (NEW).]

B. "Covered rental agreement" means a written agreement with a term of 45 continuous days or fewer setting forth the terms and conditions governing the use of a covered rental vehicle provided by a rental company. [PL 1991, c. 335 (NEW).]

C. "Covered rental vehicle" means a private passenger motor vehicle rented pursuant to a covered rental agreement, regardless of where that rental vehicle is registered, rented or operated. [PL 1991, c. 335 (NEW).]

D. "Private passenger motor vehicle" includes a private passenger automobile, a sport utility vehicle, a pickup truck and a van, as defined in rule. [PL 2019, c. 376, §1 (AMD).]

E. "Rental company" means any person or organization, including franchisees, in the business of providing private passenger motor vehicles to the public. [PL 1991, c. 335 (NEW).]

[PL 2019, c. 376, §1 (AMD).]

2. Rental vehicle coverage required. A personal automobile insurance policy that provides liability and collision, liability and comprehensive or liability, comprehensive and collision coverage must provide coverage for the obligation of the insured for actual damage to a covered rental vehicle, including charges for verifiable and actual loss of use not to exceed 30 days, rented by an insured in the United States, its territories or possessions, or Canada under a covered rental agreement. The deductible applicable to the covered rental vehicle may not exceed the highest of the deductibles for the collision coverage in the event of a collision loss or for the comprehensive coverage in the event of a comprehensive loss, applicable to the insured vehicle.

[PL 1991, c. 335 (NEW).]

3. Notice to insureds. Every policy to which this section applies, either upon policy issuance or upon the first renewal after January 1, 1992, must be accompanied or supplemented by a notice, in a form prescribed or approved by the superintendent, advising the insured of the rental vehicle coverage provided pursuant to this section.

[PL 1991, c. 335 (NEW).]

4. Application. This subchapter applies to all personal automobile policies issued for delivery in this State or renewed on or after January 1, 1992.

[PL 1991, c. 335 (NEW).]

5. Rulemaking. The superintendent shall adopt rules as necessary to implement this section. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

[PL 2019, c. 376, §2 (NEW).]

SECTION HISTORY

PL 1991, c. 335 (NEW). PL 2019, c. 376, §§1, 2 (AMD).

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