

House Bill 128

By: Representatives Carpenter of the 4th and Momtahan of the 17th

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 2 of Article 15 of Chapter 1 of Title 10 of the Official Code of Georgia
2 Annotated, relating to the "Fair Business Practices Act of 1975," so as to prohibit motor
3 vehicle rental companies from refusing to rent or lease motor vehicles to individuals over the
4 age of 25 based solely on the age of such individuals; to provide for definitions; to provide
5 for related matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Part 2 of Article 15 of Chapter 1 of Title 10 of the Official Code of Georgia Annotated,
9 relating to the "Fair Business Practices Act of 1975," is amended by adding a new Code
10 section to read as follows:

11 "10-1-393.20.

12 (a) As used in this Code section, the term:

13 (1) 'Motor vehicle rental company' means an individual or business entity whose
14 business activity is renting or leasing motor vehicles to consumers under rental
15 agreements. Such term shall not include an individual engaged in peer-to-peer
16 car-sharing.

(2) 'Peer-to-peer car-sharing' shall have the same meaning as provided in Code Section 40-1-220.

(3) 'Rental agreement' means an agreement under which a motor vehicle without a driver is rented or leased to a consumer for a period of 90 days or less. Such term shall not include a peer-to-peer car-sharing arrangement.

(b) It shall be an unlawful unfair or deceptive trade practice for any motor vehicle rental company to refuse to rent or lease a motor vehicle under a rental agreement to an individual who is 25 years of age or older solely on the basis of the individual's age, provided that such individual holds a valid driver's license authorizing such individual to operate such motor vehicle on public roads within this state and such individual has, or is able to obtain through the motor vehicle rental company or otherwise, an insurance policy that would apply to such individual's use of such motor vehicle and that would provide at least the minimum coverages required by law.

(c) Any person who violates this Code section shall be subject to the penalties provided for in this part."

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.