



PREVENTIVE LAW SERIES

# RENTING AN AUTOMOBILE



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## BEFORE RENTING AN AUTOMOBILE

When you rent an automobile, you must first sign a rental agreement. Be advised that this is a contract just like any other you sign. Make sure you understand all of the terms in the rental agreement. Do not sign if you do not understand something and cannot get it explained to you.

## YOU ARE RESPONSIBLE FOR THE AUTOMOBILE

The renter of the car is responsible for damage caused to the car, even if someone else caused the damage or the cause is unknown. If you allow someone else to drive the car and that person damages the car, you are still liable to the rental company for the amount of the damage.

## RENTAL CAR INSURANCE

The best way to protect yourself in the event that your rental car is damaged is to purchase insurance or a collision damage waiver (a form of indemnity offered by rental companies). Your own personal automobile insurance may cover your rental car and some major credit cards provide insurance for rental cars. Check to see if the rental car is covered by your insurance, or if and what your credit card company may cover, **before** purchasing the collision damage waiver from the rental company. If your own personal automobile insurance covers rental cars, but decides not to pay any portion of the rental company claim, you are still personally liable for the difference.

Once you have obtained insurance for the vehicle, you can lose this coverage by improperly operating the vehicle. Some examples of improper behavior include (but are not limited to):

- Allowing another person to drive the vehicle;
- Driving the vehicle out of state;
- Driving the vehicle into a foreign country;
- Driving the vehicle off-road;
- Driving the vehicle while intoxicated;
- Driving the vehicle in a reckless manner; and
- Other conditions that may be listed in your rental contract.

Some rules apply to the rental company regarding the optional collision damage waiver. You cannot be unfairly induced to purchase the waiver. **Lastly, the rental company cannot charge your credit card as a deposit merely because you refused the waiver** (See California Civil Code §1936(k)).

## GASOLINE PAYMENT OPTIONS ON RENTAL CARS

Be sure to inquire how much gasoline you will have to replace in the tank at the time you sign the rental agreement, and how much the company will charge you per gallon if you fail to fill up to the designated level. Some rental companies give you the option of paying for the gasoline ahead, so you do not have to fill up before returning the car. Ask how much they will charge you per gallon for this service; certain companies will require you to pay the cost of filling up the entire tank, even if you return it with some gasoline in it.

## LEGAL ASSISTANCE SERVICES

A legal assistance attorney is available by appointment Monday through Thursday from 0800 - 1100 and 1300 - 1500, and Friday from 0900 - 1045. Powers of attorney and notaries are available Monday through Friday at the same times. For more information, please contact the Legal Assistance Office, located in Building 56, 32nd Street Naval Station, San Diego, CA, by telephone at (619) 556-2211, or our office at Naval Air Station North

Island – Coronado, Building 318 – Second Deck, above the Fleet and Family Support Center, Saufley Road, by telephone at (619) 545-6437.

## **RESOURCES**

**Federal Trade Commission:** (877) FTC-HELP; [www.consumer.ftc.gov/features/feature-0009-military-families](http://www.consumer.ftc.gov/features/feature-0009-military-families)

- Consumer Information: [www.consumer.ftc.gov](http://www.consumer.ftc.gov); (877) FTC-HELP
- File a Consumer Complaint: [www.ftccomplaintassistant.gov](http://www.ftccomplaintassistant.gov)

**California Department of Consumer Affairs:** (800) 952-5210; [www.dca.ca.gov](http://www.dca.ca.gov)

**California Department of Motor Vehicles:** (800) 777-0133; [www.dmv.ca.gov](http://www.dmv.ca.gov)

**Better Business Bureau** San Diego Field Office: (858) 496-2131, [www.sandiego.bbb.org](http://www.sandiego.bbb.org)

**California Civil Code §1936**