

By: Senator(s) Wiggins, Hill

To: Judiciary, Division A

COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 2153

1 AN ACT TO CREATE SECTION 75-24-8, MISSISSIPPI CODE OF 1972,
2 TO REQUIRE PERSONS OR ENTITIES ENGAGED IN THE RENTAL OF MOTOR
3 VEHICLES TO DISCLOSE THE TOTAL CHARGES FOR THE ENTITY RENTAL,
4 INCLUDING ALL ADDITIONAL MANDATORY CHARGES; TO AMEND SECTION
5 75-24-5, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED
6 PURPOSES.

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

8 **SECTION 1.** Section 75-24-8, Mississippi Code of 1972, is
9 created as follows:

10 75-24-8. (1) The following words and phrases when used in
11 this section have the meaning respectively ascribed to them,
12 except for instances where the context clearly describes and
13 indicates a different meaning:

14 (a) "Additional mandatory charge" means any separately
15 stated charges that a renter is required to pay that specifically
16 relate to the operation of a rental vehicle. This term includes,
17 but is not limited to, a customer facility charge, airport
18 concession recovery fee, vehicle license recovery fee, and any
19 government imposed taxes or fees.



20 (b) "Quote" means an estimated cost of rental provided
21 to a potential customer based on information provided by the
22 customer, including potential dates of rental, location or class
23 of vehicle.

24 (c) "Vehicle license recovery fee" means a charge to
25 recover costs to license, title, register, plate, or inspect a
26 rental vehicle that are incurred by a person or entity engaged in
27 the business of renting motor vehicles under rental agreements.

28 (2) If a person or entity engaged in the business of renting
29 motor vehicles under rental agreements imposes additional
30 mandatory charges, the person or entity shall:

31 (a) Provide a good-faith estimate of the total charges
32 for the entire rental, including all additional mandatory charges,
33 whenever a quote is provided to a potential customer. The
34 good-faith estimate may exclude mileage charges and charges for
35 optional items that cannot be determined prior to completing a
36 rental reservation based on the information provided by the
37 potential customer; and

38 (b) Disclose in the rental contract provided to the
39 renter the total charges for the entire rental, including all
40 additional mandatory charges. Total charges for the entire rental
41 do not include any charges that cannot be determined at the time
42 the rental commences.

43 **SECTION 2.** Section 75-24-5, Mississippi Code of 1972, is
44 amended as follows:



45 75-24-5. (1) Unfair methods of competition affecting
46 commerce and unfair or deceptive trade practices in or affecting
47 commerce are prohibited. Action may be brought under Section
48 75-24-5(1) only under the provisions of Section 75-24-9.

49 (2) Without limiting the scope of subsection (1) of this
50 section, the following unfair methods of competition and unfair or
51 deceptive trade practices or acts in the conduct of any trade or
52 commerce are hereby prohibited:

53 (a) Passing off goods or services as those of another;

54 (b) Misrepresentation of the source, sponsorship,
55 approval, or certification of goods or services;

56 (c) Misrepresentation of affiliation, connection, or
57 association with, or certification by another;

58 (d) Misrepresentation of designations of geographic
59 origin in connection with goods or services;

60 (e) Representing that goods or services have
61 sponsorship, approval, characteristics, ingredients, uses,
62 benefits, or quantities that they do not have or that a person has
63 a sponsorship, approval, status, affiliation, or connection that
64 he does not have;

65 (f) Representing that goods are original or new if they
66 are reconditioned, reclaimed, used, or secondhand;

67 (g) Representing that goods or services are of a
68 particular standard, quality, or grade, or that goods are of a
69 particular style or model, if they are of another;



70 (h) Disparaging the goods, services, or business of
71 another by false or misleading representation of fact;

72 (i) Advertising goods or services with intent not to
73 sell them as advertised;

74 (j) Advertising goods or services with intent not to
75 supply reasonably expectable public demand, unless the
76 advertisement discloses a limitation of quantity;

77 (k) Misrepresentations of fact concerning the reasons
78 for, existence of, or amounts of price reductions;

79 (l) Advertising by or on behalf of any licensed or
80 regulated health care professional which does not specifically
81 describe the license or qualifications of the licensed or
82 regulated health care professional;

83 (m) Charging an increased premium for reinstating a
84 motor vehicle insurance policy that was cancelled or suspended by
85 the insured solely for the reason that he was transferred out of
86 this state while serving in the United States Armed Forces or on
87 active duty in the National Guard or United States Armed Forces
88 Reserve. It is also an unfair practice for an insurer to charge
89 an increased premium for a new motor vehicle insurance policy if
90 the applicant for coverage or his covered dependents were
91 previously insured with a different insurer and canceled that
92 policy solely for the reason that he was transferred out of this
93 state while serving in the United States Armed Forces or on active
94 duty in the National Guard or United States Armed Forces Reserve.



95 For purposes of determining premiums, an insurer shall consider
96 such persons as having maintained continuous coverage. The
97 provisions of this paragraph (m) shall apply only to such
98 instances when the insured does not drive the vehicle during the
99 period of cancellation or suspension of his policy * * *; and
100 (n) Violating the provisions of Section 75-24-8.

101 **SECTION 3.** This act shall take effect and be in force from
102 and after July 1, 2023.

