

AMENDED IN SENATE AUGUST 21, 2012  
AMENDED IN SENATE AUGUST 7, 2012  
AMENDED IN SENATE JUNE 25, 2012  
AMENDED IN ASSEMBLY APRIL 16, 2012  
AMENDED IN ASSEMBLY MARCH 29, 2012  
CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2189**

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**Introduced by Assembly Member Skinner**

February 23, 2012

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An act to add Section 1936.5 to the Civil Code, and to amend Section 14608 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 2189, as amended, Skinner. Vehicles: rentals: driver's licenses.

Existing law prohibits a person from renting a motor vehicle to another unless the person to whom the vehicle is rented is a validly licensed driver, as specified, and the person renting to that driver has inspected the person's driver's license and compared the signature on the license with the signature of the driver written in his or her presence.

This bill would delete the requirement that the signature of the driver be written in his or her presence and would allow the person renting the vehicle to instead compare the photograph on the driver's license of the person with the person to whom the vehicle is to be rented.

The bill would also exempt, a "rental company," as defined, from these requirements ~~when entering into a rental transaction for a vehicle that is located remotely, is part of a regional fleet, and is available to~~

~~be rented through a membership agreement electronically on either an hourly or daily basis if the rental is subject to the terms of a membership agreement that allows the renter to gain physical access to a car without a key through use of a code, key card, or by other means that allow the car to be accessed at a remote location or at a business location of the rental company outside of that location’s regular hours of operation.~~

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 1936.5 is added to the Civil Code, to  
2 read:

3 1936.5. A “rental company” as defined in paragraph (1) of  
4 subdivision (a) of Section 1936 is not subject to the requirements  
5 of Section 14608 of the Vehicle Code ~~when entering into a rental~~  
6 ~~transaction for a vehicle that is located remotely, is part of a~~  
7 ~~regional fleet, and is available to be rented through a membership~~  
8 ~~agreement electronically on either an hourly or daily basis if the~~  
9 ~~rental is subject to the terms of a membership agreement that~~  
10 ~~allows the renter to gain physical access to a car without a key~~  
11 ~~through use of a code, key card, or by other means that allow the~~  
12 ~~car to be accessed at a remote location, or at a business location~~  
13 ~~of the rental company outside of that location’s regular hours of~~  
14 ~~operation.~~

15 SEC. 2. Section 14608 of the Vehicle Code is amended to read:

16 14608. (a) A person shall not rent a motor vehicle to another  
17 person unless both of the following requirements have been met:

18 (1) The person to whom the vehicle is rented is licensed under  
19 this code or is a nonresident who is licensed under the laws of the  
20 state or country of his or her residence.

21 (2) The person renting to another person has inspected the  
22 driver’s license of the person to whom the vehicle is to be rented  
23 and compared either the signature thereon with that of the person  
24 to whom the vehicle is to be rented or the photograph thereon with  
25 the person to whom the vehicle is to be rented.

26 (b) This section does not prohibit a blind or disabled person  
27 who is a nondriver from renting a motor vehicle if both of the  
28 following conditions exist at the time of rental:

- 1 (1) The blind or disabled person either holds an identification
- 2 card issued pursuant to this code or is not a resident of this state.
- 3 (2) The blind or disabled person has a driver present who is
- 4 either licensed to drive a vehicle pursuant to this code or is a
- 5 nonresident licensed to drive a vehicle pursuant to the laws of the
- 6 state or country of the driver's residence.

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