

Chapter 404

(House Bill 1013)

AN ACT concerning

Vehicle Laws – Rental Vehicles – Driver’s License Verification and Records

FOR the purpose of prohibiting a vehicle lessor from renting a vehicle to another person unless the lessor verifies that the person’s driver’s license is not expired; authorizing a vehicle lessor to inspect a driver’s license of a vehicle lessee through electronic or digital means under certain circumstances; authorizing a vehicle lessor to keep certain records in an electronic or digital format; establishing that a vehicle lessor that rents a vehicle to another person in a certain manner is deemed to have met certain driver’s license verification requirements under certain circumstances; requiring a vehicle lessor to delete certain personal data within a certain period of time after an individual terminates participation in a certain membership or master program agreement; and generally relating to verification of driver’s licenses and records for rental vehicles.

BY repealing and reenacting, with amendments,
 Article – Transportation
 Section 18–103
 Annotated Code of Maryland
 (2012 Replacement Volume and 2019 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
 That the Laws of Maryland read as follows:

Article – Transportation

18–103.

(a) A person may not rent a motor vehicle, trailer, or semitrailer to any other person unless the individual who will operate the rented vehicle:

(1) Holds a driver’s license issued under Title 16 of this article, which license authorizes him to drive or tow, as the case may be, vehicles of the class rented;

(2) Is a nonresident who:

(i) Has with him a license to drive issued to him by the state or country of his residence, which license authorizes him in that state or country to drive or tow, as the case may be, vehicles of the class rented; and

(ii) Is at least the same age as that required of a resident to drive or tow, as the case may be, the vehicle rented; or

(3) Otherwise is specifically authorized by Title 16 of this article to drive or tow, as the case may be, vehicles of the class rented.

(b) **(1)** A person may not rent a motor vehicle, trailer, or semitrailer to any other person unless the lessor or his agent:

[(1)] (I) Has inspected the license to drive of the individual who will operate the rented vehicle; **[and]**

[(2)] (II) Has compared and verified:

[(i)] 1. The signature on the license with the signature of the individual, as written in the presence of the lessor or agent; and

[(ii)] 2. The physical description on the license with the physical appearance of the individual; **AND**

(III) HAS VERIFIED THAT THE LICENSE IS NOT EXPIRED.

(2) AN INSPECTION OF A LICENSE UNDER THIS SECTION MAY BE THROUGH ELECTRONIC OR DIGITAL MEANS.

(c) **(1)** Each person who rents a motor vehicle, trailer, or semitrailer to another person shall keep a record of:

[(1)] (I) The registration number of the rented vehicle and, if only a semitrailer or trailer is rented, the registration number of the motor vehicle to be used to tow the trailer or semitrailer;

[(2)] (II) The name and address of the lessee;

[(3)] (III) The number of the license to drive of the individual who will drive or tow, as the case may be, the rented vehicle; and

[(4)] (IV) The date and place of issuance of the license to drive.

(2) RECORDS MAY BE KEPT UNDER THIS SUBSECTION IN AN ELECTRONIC OR DIGITAL FORMAT.

(d) Any police officer or authorized representative of the Administration may inspect the records kept under subsection (c) of this section.

(E) (1) IF A LESSOR RENTS A MOTOR VEHICLE, TRAILER, OR SEMITRAILER TO ANOTHER PERSON IN A MANNER THAT ALLOWS THE OTHER PERSON TO OBTAIN POSSESSION OF THE RENTED VEHICLE WITHOUT MAKING DIRECT CONTACT WITH THE LESSOR, THE LESSOR SHALL BE DEEMED TO HAVE MET THE REQUIREMENTS OF SUBSECTIONS (A) AND (B) OF THIS SECTION IF THE LESSOR REQUIRES THE PERSON WHO WILL OPERATE THE RENTED VEHICLE TO ENTER INTO A MEMBERSHIP OR MASTER PROGRAM AGREEMENT.

(2) A LESSOR SHALL DELETE ANY PERSONAL DATA OF AN INDIVIDUAL WHO PARTICIPATES IN A MEMBERSHIP OR MASTER PROGRAM AGREEMENT WITHIN 60 DAYS AFTER THE INDIVIDUAL TERMINATES THE INDIVIDUAL'S PARTICIPATION IN THE MEMBERSHIP OR MASTER PROGRAM AGREEMENT.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2020.

Enacted under Article II, § 17(c) of the Maryland Constitution, May 8, 2020.