

By: Lujan

H.B. No. 3016

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the circumstances in which a rental company may void a
3 damage waiver for a rental vehicle.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 91.056, Business & Commerce Code, is
6 amended to read as follows:

7 Sec. 91.056. VOIDING OF DAMAGE WAIVER. A rental company may
8 not void a damage waiver unless:

9 (1) an authorized driver causes the damage
10 intentionally or by wilful and wanton misconduct;

11 (2) the damage arises out of use of the vehicle:

12 (A) by a person:

13 (i) who is not an authorized driver;

14 (ii) while under the influence of an
15 intoxicant that impairs driving ability, including alcohol, an
16 illegal drug, or a controlled substance; or

17 (iii) while engaged in commission of a
18 crime other than a traffic infraction;

19 (B) to carry persons or property for hire;

20 (C) to push or tow anything;

21 (D) for driver's training;

22 (E) to engage in a speed contest; or

23 (F) outside the continental United States,

24 unless the rental agreement specifically authorizes the use; [~~or~~]

1 (3) the rental company entered into the rental
2 transaction based on fraudulent information supplied by the renter;
3 or

4 (4) the vehicle is stolen and the renter fails to:

5 (A) return the vehicle's ignition key to the
6 rental company;

7 (B) file a report with law enforcement not later
8 than 24 hours after the renter discovers the theft; and

9 (C) fully cooperate with the rental company and
10 any law enforcement agency or other authority investigating the
11 stolen vehicle in all matters relating to the investigation of the
12 stolen vehicle.

13 SECTION 2. The change in law made by this Act applies only
14 to an agreement entered into on or after the effective date of this
15 Act. An agreement entered into before the effective date of this
16 Act is governed by the law in effect on the date the agreement was
17 entered into, and the former law is continued in effect for that
18 purpose.

19 SECTION 3. This Act takes effect September 1, 2025.