



**YOUR LEGAL RIGHTS
J. ERICK SANTANA, ESQ.**

RENTING A CAR AFTER AN ACCIDENT, WHO PAYS?

One of the major issues after an automobile collision is the renting of a substitute vehicle while one's car is being repaired.

There are two ways to obtain rental coverage after an automobile collision. The first is through one's own automobile insurance policy. When a person buys automobile insurance, one of the coverages that can be purchased is "rental coverage". Usually the rental coverage on one's own policy will state a certain allowance per day for the rental coverage for a limited amount of time. It is important that a person be aware of the limits in coverage before renting a vehicle, and to try to obtain a rental vehicle within the coverage limits in order to avoid paying any additional costs.

The second possibility is to obtain a rental vehicle through the at-fault driver's policy. If a person is in a motor vehicle collision which was not their fault, and the person that caused the accident has property damage liability coverage, then the victim of the crash is entitled to both payment for the repairs of their car and a rental vehicle.

When pursuing a claim for rental coverage against the at-fault driver's insurance, the victim of the crash is entitled to rent a vehicle "similar" to the vehicle that they own. This means the at-fault driver's insurance company will not pay for the rental of a Cadillac Escalade, when the victim was driving a Toyota Corolla.

It is important that the victim contact the insurance company of the at-fault driver to confirm that they accepted responsibility for paying the property damage claim and that they are aware that the victim is renting a vehicle. Also, the victim should request that the at-fault driver's insurance company set up a "direct bill" with the rental car company. This will allow the rental car company to submit the rental charges directly to the insurance company of the at fault driver. Therefore, the renter will not have to pay first and then wait to be reimbursed.

Another issue with reference to renting a vehicle is whether or not to purchase the extra insurance offered by the rental car company. Please be advised that a person's own insurance company, in most situations, will cover the rental vehicle while the person's car is being repaired. Therefore, most of the time, a person who is renting a car does not have to pay for the extra insurance if you already have automobile insurance for your own car.

Please review your own automobile insurance company policy to confirm if your personal automobile insurance covers you while you are driving a rental car. Also,



please be advised that, if you do decide to purchase the extra insurance with the rental car company, the liability insurance company paying for the rental vehicle will not pay for this extra expense, and you would be responsible for this additional cost.

*For additional information please contact CECERE & SANTANA | Toll free: (866) 913-3948
Tel: (954) 653-9969 | Fax: (954) 653-9979*