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**STATE OF MARYLAND**  
**OFFICE OF THE ATTORNEY GENERAL**  
**CONSUMER PROTECTION DIVISION**

**TO: PASSENGER CAR RENTAL AND PEER-TO-PEER CAR SHARING COMPANIES IN MARYLAND**

**RE: REVISED COLLISION DAMAGE WAIVER DISCLOSURE FORM REQUIRED TO BE USED EFFECTIVE JULY 1, 2018**

Attached is a copy of the revised Collision Damage Waiver (CDW) Disclosure Form, which has been approved by the Consumer Protection Division. This form must be used by car rental and Peer-to-Peer Car Sharing companies to comply with the CDW disclosure requirements of Maryland Commercial Law Code Annotated §14-2101. Amendments to this law by Chapter 852, Laws of Maryland 2018, which are effective July 1, 2018, require use of the form by Peer-to-Peer Car Sharing Programs that offer collision damage waivers, in addition to the use by car rental companies.

**WHO MUST USE THE CDW DISCLOSURE FORM**

Any person in the business of renting passenger cars for less than 180 days in Maryland, or a Peer-to-Peer Car Sharing Program, who offers a CDW agreement, must comply with Maryland's CDW disclosure law.

**HOW TO COMPLY WITH THE CDW DISCLOSURE LAW**

Each car rental and Peer-to-Peer Car Sharing company is responsible for completing, reproducing, and distributing the revised CDW Disclosure Form. Rental companies and Peer-to-Peer Car Sharing Programs with more than one location or affiliation must ensure that each of its locations, franchisees or licensees are in compliance with the law.

**A. How to Complete the CDW Disclosure Form**

The front page contains standard disclosures each consumer must receive. You may not add to, delete, or change anything on the front page.



The second or reverse page must be completed by each company to reflect the specific terms and conditions that company is offering in its CDW. You must complete this page to state the following:

1. The cost per day of the CDW you are offering.
2. Mark the boxes provided to indicate the types of damage for which the customer may still be liable under the rental or car sharing agreement if he or she purchases the CDW.
3. Insert each condition, restriction or exclusion which will void the CDW you offer, using plain and understandable language. This section allows you to summarize the applicable provisions of your rental agreement or CDW agreement in plain English.

These conditions, restrictions, and exclusions must be in type at least as large as Brevier or 10 point type. If necessary, add an attached third page.

#### **B. Reproducing the CDW Disclosure Form**

The disclosure form is being provided to you as two pages in a .pdf format. The form is set up to be reproduced on the front and reverse sides of a single page. Using several single sided pages is acceptable.

After completing the form, you may reproduce it on any color and quality of paper you choose, providing the text is plainly legible. You may use a paper size other than 8.5 x 11 inches, provided you do not reduce or enlarge the print or change the page format in any way.

#### **C. Distributing the CDW Disclosure Form to Consumers**

You must give a completed copy of the revised CDW Disclosure Form to each prospective car rental or car sharing customer with the rental agreement, or earlier if requested by the customer. Instruct the customer to read the form and answer any questions about the CDW before asking the customer to sign the rental or car sharing agreement. Give a copy of the Disclosure Form to the consumer to keep. You may wish to have the consumer sign a statement that he has received the CDW disclosure form, but that is not required.

#### **D. Statutory Language to be Included on the Face of the Rental Agreement**

You must revise your standard rental or car sharing agreement to provide the following statutory language on the face of the rental agreement. The language must be set apart and in boldface type at least as large as 10 point type.

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**“Notice: This contract offers, for an additional charge, a collision damage waiver to cover your responsibility for damage to the vehicle. Before deciding whether to purchase the collision damage waiver, you may wish to determine whether your own automobile**

**insurance affords you coverage for damage to the rental vehicle or shared motor vehicle and the amount of the deductible under your own insurance coverage. The purchase of this collision damage waiver is not mandatory and may be waived. Maryland law requires that all Maryland residents' insurance policies with collision coverage automatically extend that collision coverage to passenger cars rented or motor vehicles shared by the insureds named in the policy for a period of 30 days or less."**

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Requests for additional forms should be sent to:

Consumer Protection Division  
Attention: CDW Forms  
Office of the Attorney General  
200 St. Paul Place, 16<sup>th</sup> Floor  
Baltimore, MD 21202

Forms may also be downloaded from our website:  
[www.marylandattorneygeneral.gov/pages/CPD](http://www.marylandattorneygeneral.gov/pages/CPD)

Inquiries may be directed to [CDWform@oag.state.md.us](mailto:CDWform@oag.state.md.us) or (410) 576-6557