



FORT SILL CLAIMS OFFICE

4700 Mow-Way Road, Suite 400 (4th Floor), Fort Sill, OK 73503
(580) 442-2317 (or 5058)
<http://sill-www.army.mil/usag/jag>



RENTAL CAR LIABILITY FOR GOVERNMENT TRAVEL

DON'T PAY WHAT YOU DON'T HAVE TO!

- Before you rent a car authorized under Government TDY orders, **read this!** To protect your pocketbook, the Surface Deployment and Distribution Command (SDDC) has contracted with rental car agencies so that in most situations should an accident occur, the car rental company, and not you or the government, foots the bill. The military also has a special arrangement with VISA to help protect you from liability. To take full advantage of the SDDC contract arrangements and VISA's protections, you need to take several steps before renting a car.

HOW DO I PROTECT MYSELF FROM LIABILITY?

- If you fail to follow the proper procedures, the car rental company could charge you for damages resulting from an accident.
 1. **Official Means:** Make your reservation through your Commercial Travel Office (CTO). The CTO will ensure that the rental agency chosen participates in the SDDC agreement and will book the vehicle at the Government rate and ensure that the Government Administrative Rate (GARS) is charged.
 2. **Official Status:** When you pick up your car at the rental agency, present either your Government Travel Credit Card, if you have one, or a copy of your official travel orders. This will let the rental company know your official status.
 3. **Official Affiliation:** Provide the rental company with a valid unit designation and address.
 4. **Avoid Overcharge:** *Decline the collision damage waiver (CDW) and liability coverages.* (You can buy these for additional personal protection, but you will not be reimbursed in your travel voucher and you must personally pay for an unauthorized expense on your government travel card.) Please note that VISA's protections only apply for rentals of 31 days or less.
 5. **Check Vehicle:** Rent an authorized vehicle, which includes cars and most minivans, but not trucks or motorcycles. *Don't forget to view/document pre-existing damage to your rental.*

WHAT ABOUT ADDITIONAL DRIVERS?

- Any additional licensed person authorized to operate a vehicle rented under this agreement who are also in official travel status, acting within the scope of their employment, are authorized to drive the rental vehicle. The SDDC agreement does not require that additional drivers who are properly licensed and in the scope of official duties to be listed on the rental contract. VISA, however, does require that additional drivers be listed. Therefore, to ensure maximum protection and convenience, additional drivers should be listed on any rental contract.

WHAT SHOULD I DO IF I AM IN AN ACCIDENT?

- The rental company will inform renters of the process required worldwide specific to the company should an accident or repair become necessary. Generally, if an accident does occur in which damage is caused to the rental car or other property, or in which personal injury occurs, the renter should immediately take the following steps.
 1. Call the police and file report (command or claims office may want additional documentation).
 2. Contact the car rental company.
 3. Call the VISA program administrator, as soon as possible, but not later than 20 days from the date of the accident, at 1-800-VISA-911.

WILL I BE PROTECTED FROM LIABILITY?

- When the government traveler is acting within his or her scope of employment, the rental company through the SDDC agreement will cover damages to the rental car, other property, and personal injury or death to third parties up a certain dollar amount. VISA's coverage applies only to the rental vehicle. Therefore, you should take appropriate steps to notify both VISA and the rental company of any accident.
- Under the SDDC, rental agencies are prohibited from placing any debt for accidents on your personal credit card. If, however, such charges do show up on your credit card or if you are contacted personally regarding an accident, consult with your area Claims Office promptly. (Continued on Next Page)

RENTAL CAR LIABILITY FOR GOVERNMENT TRAVEL (CONTINUED)

WILL I BE PROTECTED FROM LIABILITY? (Continued)

- Unless prohibited by state law, the rental company is not liable for the loss under certain situations. Examples of these exclusions include: obtaining the vehicle through fraud or misrepresentation; operating the vehicle under the influence of intoxicants or for any illegal purposes; using the vehicle to carry for hire; operating the vehicle in live artillery fire exercises or tactical training maneuvers; operation of vehicle off paved, state, or professionally maintained roads or driveways; and theft of a vehicle, if the renter cannot produce the keys or show the keys were stolen through theft or robbery. A full list can be found in the U.S. Government Rental Car Agreement Ch. 18 - Insurance, Damage Liability, and Billing for Damages (b) Loss of or Damage to Vehicle.

RENTAL CAR LIABILITY FOR PERSONAL TRAVEL *

WHEN DO I NEED TO BUY EXTRA INSURANCE FROM THE CAR RENTAL AGENCY?

- Rental companies sell a number of added insurance coverage options which may or may not be necessary for you to lower your risk of being held financially liable for damages. You will need to do your research to ensure whether these insurance products are unnecessary expenses or if you already have the coverage through your own personal car insurance provider, credit card used in the rental purchase, etc. You need to pay close attention to exclusions. Does the coverage you are relying on cover only damage to the vehicle itself? Does it cover theft or disaster, personal possessions in the car, liability if you hit another car, etc.?
- **Credit Card Coverage Benefit:** Many credit card companies offer rental car insurance benefits for free if you charge the cost of the rental on your credit card. If it is not free, they may offer a cheaper product at-cost than at the rental counter. Do your homework though and get details of the coverage sent in writing. Often this only covers the car you rent and not another car in the accident or personal liability for injuries.
- **Personal Car Insurance Benefit:** If you have sufficient liability coverage through your own auto insurance, you may not need to buy extra coverage from the rental agency. Contact your provider and read the policy to confirm if your coverage includes a rental car you are driving (don't forget it may only cover authorized drivers). Personal car insurance has three components to consider (1) Liability (harm to other persons/property), (2) Collision (damage to vehicle in accident), (3) Comprehensive (damage/loss through other means such as theft). If you have liability insurance only, it may not cover the cost of a repairing/replacing a damaged rental car. Don't forget that your insurance deductible will still apply.
- **Keys to Protect Yourself after a Loss:**
 - ⇒ Take insurance info and file police report at the scene.
 - ⇒ Contact the rental car company to resolve issues.
 - ⇒ Contact your insurance/credit-card to ensure coverage.
 - ⇒ If injured, and another driver is responsible, let the claims office know.

RENTAL INSURANCE PRODUCTS:

1. **Collision/Loss Damage Waiver (CDW/LDW):** Not insurance, but you will not be held to pay for damage to the rental car itself (with caveats such as proper use).
2. **Partial Damage Waiver (PDW):** If your personal insurance covers the rest, rental company will not hold you liable for amount of your deductible.
3. **Liability Insurance (Supplement) (LIS):** Liability coverage is intended to help protect you if you injure someone or damage their property while driving.
4. **Personal Accident Insurance (PAI):** Provides for you and your passengers in the case of personal injury.
5. **Personal Effects Coverage (PEC):** Covers your personal belongs in the case of loss or theft.

If you have questions concerning the information in this fact sheet, please call the Fort Sill Area Claims Office at (580) 442-2317 or 442-5058. Our hours of operation are Monday, Tuesday, Wednesday and Friday, 0900 – 1600, and Thursdays 1300-1600. The Claims Office is co-located with the Legal Assistance Office on the 4th floor of Building 4700, Hartell Hall on Mow-Way Road. Further information is available at the Office of the Staff Judge Advocate website, "Claims Office" tab, at <http://sill-www.army.mil/usag/>.