

Consumer Education

Car Hire Checklists and what help is available to consumers.



This workbook has been produced by the Citizens Advice Consumer Strategy team in partnership with the Partner Intelligence team following its work with the Competition and Markets Authority (CMA) and the Consumer Protection Partnership. Information has also been provided by the European Consumer Centre.

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Car Hire Guidelines

The Aim of the resource is to promote the work Citizens Advice and the Competition and Market (CMA) have developed on Car Hire problems, how they occur, what consumers should know about hiring cars or vehicles and what remedies are available for redress if something goes wrong.

Guidance notes for using this resource

- 1) Download or Save the CMA guidance and the ECC pamphlet located on the Car Hire page with this document. Read through the information before you hire a car.
- 2) Download or print the checklists in this resource to enable you to check the details of hiring a car,
 - Before you enter into a hire agreement
 - When you collect the car
 - When you return the car
- 3) Keep a copy of the What help is available to consumers information.
- 4) Where possible record details of how you can contact Alternative Dispute Resolution schemes and keep the weblink to the Online Dispute Resolution platform.

Objectives are :

- To raise awareness of consumer problems when hiring cars
- To enable consumers to be confident when entering car hire contracts
- To enable consumers to understand actions they should take when hiring a car/ vehicle.
- To know how to get help and advice if things go wrong
- To raise awareness of Alternative Dispute Resolution (ADR) and Online Dispute Resolution (ODR) schemes.

Car Hire Specific Guidance

The CMA have a page dedicated to this work with further details on their campaign materials <https://www.gov.uk/cma-cases/short-term-consumer-car-hire-across-the-european-union-eu>

The European Consumer Centre also have a designated page with detailed information.

<http://www.ukecc.net/consumer-topics/car-hire-in-europe.cfm>

Evaluation of the resource can be completed through the evaluation section on the education page www.citizensadvice.org.uk/about-us/how-we-provide-advice/our-prevention-work/education/education-resources/education-resources-evaluation/

Before you hire a car

Before you hire a car Use the checklist and CMA guidance to check through before you rent a car.	Check 	Not sure? Get advice
The contract gives me full details of what is covered. If you need them, check that any one-way fees, additional driver charges or young driver surcharges (applied if you are under 25) have been included bearing in mind that they are often left out of the headline price		
Check that you are provided the total price for any optional extras. Child seats, Sat Navs etc... may incur an additional charge.		
Read the rental contract thoroughly and understand it including full cost. check the requirements for pre-authorisations of your credit card and/or taking deposits to cover damage. Check what these are for, the amounts and that you have enough credit available.		
Check the fuel policy Many policies, especially full to empty policies, don't include a tank of fuel or the re-fuelling charges in the price. Full to full policies are less likely to hidden charges.		
Check the insurance cover and whether you need to buy additional cover. If you need extra insurance cover look at both the rental providers' product and insurance from independent providers, bear in mind that with independent cover you may get a lower price but will need to pay for any damage caused and then reclaim the amount from your insurer.		
Check the excess and any exclusions from the insurance policy bearing in mind that often the first £1000 as well as damage to tyres and glass is not covered.		

When you hire a car

When you hire a car Use the checklist and CMA guidance to check through before you rent a car.	Check 	Not sure? Get advice
The car matches the description Take time to check that everything detailed in the agreement is correct.		
The price is the one that was agreed check that any one-way fees, additional driver charges or young driver surcharges (applied if you are under 25) have been included		
Check and clarify the fuel policy Many policies, especially full to empty policies, don't include a tank of fuel or the re-fuelling charges in the price. Full to full policies are less likely to hidden charges.		
Check the car over with the staff and the collection point Don't feel rushed or pressured into accepting the car. Check the paperwork, car and cost are all as agreed.		
Point out any scratches/ dents/ imperfections; have these noted on the paperwork. Where possible take photos of the cars exterior and interior. Ensure the staff identify these within the paperwork and it is signed and dated.		
Take photos with the date Where possible take photos of the car's exterior and interior and email or text it with date to yourself.		
Make clear plans on how to return the car Ensure that you fully understand how, where and when to return the car, where to leave keys if the return point is closed and also how you can guarantee its return will be acknowledged.		

When you return a hire car

When you return a hire car Use the checklist and CMA guidance to check through before you rent a car.	Check 	Not sure? Get advice
The agreed drop off plans are kept. Read through your paperwork carefully and factor in time to find the location and check the car. If there is a problem contact the company straight away.		
There are no hidden return fees Checking before you drive away should prevent this, however you should be given full details of any additional costs. Get advice if you are concerned about this.		
You are given copies of your paperwork Check through to ensure you have all copies of your paperwork.		
Keep your paperwork, payment method and photos for evidence. Ensure you have copies of the signed paperwork, how you paid for the car including any receipts for fuel or additional costs.		
You know how to access the consumer service or European Consumer Centre Record these contact details and use any reference number that is given to you by the service when dealing with your case.		
You know what ADR scheme is available to help you The British vehicle rental and leasing association is the approved Alternative Dispute Resolution body un the UK. http://www.bvrla.co.uk/advice/consumer-advice		
You know what ODR scheme Is available to help you If you hired the car online and need help in a dispute access the Online Dispute Resolution platform https://webgate.ec.europa.eu/odr/main/index.cfm?event=main.home.show&lng=EN		

What help is available to consumers?

There are some different resources available to consumers wishing to get advice on hiring cars or to advise when things go wrong. The Competitions and Markets Authority (CMA) have issued guidance and advice on car hire by the way of campaign materials, which are included with this material. However consumers cannot/ should not contact them directly. The chart below illustrates how consumers can access information and advice when engaging in a car hire contract/ rental agreement.



Consumer Rights

As a consumer the consumer have certain rights within the UK but also additional rights through EU legislation.

The Consumer Rights Act (from 1 October 2015.) has incorporated 3 major pieces of legislation making it clearer and easier to understand. Briefly, the consumer should expect the purchase to be of satisfactory quality, fit for purpose and as described. To apply this to car hire the consumer if the car the consumer hired is not as described or the contract is not as agreed the consumer may be able to argue for redress.

There may be additional rights under the Consumer Contracts and Information Regulations if the consumer have contracted at a distance i.e. online, over the phone. However the consumer should get advice from the consumer service on which pieces of law apply.

Within the EU the Services Directive also provides consumers with better quality of service, greater transparency for services provided and also article 20 covers discrimination against the consumer; the directive states that Member States shall ensure that the recipient is not made subject to discriminatory requirements based on his nationality or place of residence. http://ec.europa.eu/growth/single-market/services/services-directive/index_en.htm

Citizens Advice Consumer Service

Trained advisers can offer information before the consumer engages in a contract or if the consumer needs advice with a dispute. When contacting the service try to provide as much detail as possible (*name of the company, when and how the contract was made, how the consumer paid, any paperwork or photos available etc...*) In most parts of the country the consumer service will notify or refer a case to Trading Standards to consider if further action against the company is required. Details of how to contact the consumer service can be found on the Citizens Advice website

www.citizensadvice.org.uk/consumer/get-more-help/if-the-consumer-need-more-help-about-a-consumer-issue/

European Consumer Centre guidance

The consumer can get advice about shopping rights when purchasing goods or services within the EU. ECC also offers free impartial advice when things go wrong with a trader. This is a free service. The ECC usually get involved when consumers have exhausted their own efforts to resolve a dispute directly with the trader. They have counterpart offices in most European countries and are often able to contact the trader, through them. This avoids the logistical and language difficulties Consumers often face. As the ECC only give advice and assistance they cannot force a trader to give the consumer what they want if, ultimately they refuse to do so. They can however then go on to advise the consumer of any other steps they could take to enforce their consumer rights. The ECC have provided numerous resources on Car hire and can be found on their website <http://www.ukecc.net/index.cfm> and searching the term 'car hire'

Alternative Dispute Resolution

For consumers who have a problem with a product or service they have purchased that they've not been able to resolve with the trader, Alternative Dispute Resolution (ADR) schemes offer a means of resolving disputes out-of-court. They involve a neutral party, usually a specialist in the sector, who proposes or imposes a solution or brings the parties together to help them find a solution. The benefits for consumers are that ADR schemes are usually free or low cost, simple to use, have defined time periods for dealing with complaints and the decision is usually binding on the trader, with the consumer usually retaining the right to reject an ADR scheme decision and pursue their claim in court. A court uses the law to decide the outcome of a case whereas ADR schemes have more options and benefit from expertise in the sector. ADR can also help consumers achieve outcomes that aren't available to the court eg an apology or explanation for what happened.

Consumers can establish which ADR scheme to contact by either contacting the services ombudsman or speaking to the consumer service.

Online Dispute Resolution

Online Dispute Resolution will assist consumers who are seeking redress from an online purchase from traders within the UK and across the EU community. The Regulation requires an online, interactive portal (the 'ODR Platform') for contractual disputes to be resolved out of court using techniques such as 'e-negotiation' and 'e-mediation'. Consumers (and traders when allowed by the Member States where consumers reside) will be able to submit complaints on the ODR platform using a standard online form available in all the official languages. The complaint will be forwarded to the trader and the ODR platform will help the parties to identify a certified ADR scheme that can process the complaint online.

<https://webgate.ec.europa.eu/odr/main/index.cfm?event=main.home.show&lng=EN>