



The Torkzadeh Law Firm

California | Arizona | District of Columbia | Georgia | Nevada | Maine | Illinois | Texas | Washington

888.845.9696

The rental car industry in the United States is a multibillion-dollar industry, with millions of rental cars in circulation. A major portion of that market share is controlled by Enterprise Holdings, which includes the brands Enterprise, Alamo, and National. Hertz is the second-largest car rental company in the United States, also operating the brands Dollar and Thrifty. Third place is Avis.

These, and many other car rental companies throughout the country, rents vehicles to people in many different situations, including travelers and those whose cars have been damaged or stolen.



Rental Car Accidents

Rental car accidents happen more often than you might think.

One reason for this is that rental car drivers are unfamiliar with the car. Even if the rental car is the same make and model as the one you are used to driving (and often it is not), the accelerator and the brakes, the turning radius, and the control panel may all have subtle differences.

Additionally, if you are renting a car on vacation, you may be on new and unfamiliar roads, and may also be tired. Combined with all the regular dangers of driving, including poor road conditions, careless drivers, and distractions, increases the risk of having an accident in a rental car.

You Are Responsible for Your Rental Car

If you rent a car, whether from Enterprise or another rental car company, **you are contractually obligated to return the car in the same condition in which you rented it.**

If you fail to maintain the rental car in the condition in which you received it, **you will be billed for any damages.** This can be expensive; even small scratches can cost hundreds of dollars

So, it is important to give the car a thorough examination before you leave the lot. Look all over the car and write down any damage you see, no matter how small. Enterprise will provide a form on which you can note all damage, and you should do so as thoroughly as possible.

If possible, get a copy of the damage report before you get behind the wheel of the rental car, and take pictures of the vehicle, so no one can say you caused damage if you didn't.

Rental Car Insurance

When it comes to accidents, Enterprise and other car rental agencies do offer several insurance options for its customers. Enterprise offers the following options, which you can read about on the [Enterprise Insurance Information Page](#):

- **Personal Accident Insurance and Personal Effects Coverage**, which cover medical bills, death costs, and personal effects;
- **Supplemental Liability Protection**, which covers third-party liability claims;
- **Roadside Assistance Protection**, which covers the costs of various roadside incidents which might require you to call a tow truck; and
- A **Damage Waiver**, which (although technically not insurance) decreases liability for an accident.

Most other rental car companies provide the same types of insurance, offering a similar set of options. All these types of supplemental insurance are optional, and you may choose to rent an Enterprise car without purchasing any of these.

Rental car insurance isn't always necessary, and many (but not all) customers may choose to forgo it completely without putting themselves at risk.

Other Insurance Policies that May Cover You

Why might you not need to buy Enterprise insurance? It is possible you already have car insurance which will cover a rental car, and you don't even know it. Before renting a car, do some research into the following:



Your Own Insurance

Your own auto insurance policy may cover damage to rental cars. Many policies do, but not all. **Carefully read your own policy, or call your insurer to confirm whether it covers a rental car.**

If it does, you're in luck; you can opt out of the rental company's insurance.

Credit Card Insurance

What if your insurance doesn't cover rental cars? Check your credit card policy. Many credit card companies provide rental car insurance coverage when you pay for the rental car with your credit card.

If your credit card policy covers the costs of the rental car, you can still opt out of the rental company's insurance.

Limits and Stipulations on Credit Card Insurance

Although all the major credit card companies (including Visa, MasterCard, American Express, and Discover) offer rental car insurance, credit card coverage isn't always perfect.

For one thing, you usually must use the credit card in question to pay the full cost of renting the car if you want to be insured, and the credit card must be under the driver's name.

Also, in most cases the credit card coverage only applies if you do not buy any supplementary insurance. So, if you do purchase Enterprise insurance and have an accident, your credit card coverage will not apply.

Also, the credit card's insurance may be incomplete. For instance, credit cards often cover only collision damage to the rental car, but don't cover liability, so you might receive no coverage for any injuries or damages to other cars besides the rental.

Many credit cards only provide secondary insurance coverage, which means they will only pick up the tab after your own car insurance company's limits are extended. Credit card coverage also frequently excludes luxury vehicles like Ferraris, or even large rentals such as SUVs or pickup trucks.

Your rental car insurance may not work in other countries, and the insurance will not cover a rental for an extended period. (The time limit varies, although no rental car insurance lasts much longer than 30 days.) And there are even odder stipulations: for instance, in some cases the insurance may not cover an accident if it occurs on a dirt road.

Finally, benefits may differ between personal and business credit cards. Business credit cards do sometimes have rental car insurance, but they often require that cars rented on a business card be used for business travel. Different cards on the same company and network may also have different benefits.

Make Sure Your Coverage Is Right for You

Be sure to investigate your auto insurance and credit card coverage before you decide whether to purchase insurance from Enterprise or other rental car companies. **Be particularly careful to ensure you have liability coverage**, because this is the kind of insurance your policies are most likely to leave uncovered.

If rental vehicles are not covered by your personal insurance or credit card, the rental company's insurance is often the best option. It may also be necessary for those renting large trucks or other vehicles not typically covered by other policies.

Also, if you have a higher deductible than the rental company is offering, you may find it prudent to buy their insurance even if your personal or credit card insurance does cover rentals.

There are many factors to consider, and the answer depends on your situation, and how much risk you are willing to assume.

What to Do If You Are in a Rental Car Accident

If you have a rental car accident, take the same steps you would take in any other car accident:

- First, make sure you and your passengers are safe. Get over to the side of the road, if possible, and turn on your emergency blinkers. If possible, set up cones, warning triangles, or emergency flares behind your car, to let other drivers know there has been an accident.
- If anyone is injured, call 911, even if the injuries don't seem severe. Some accident injuries are more serious than they first seem; [some injuries can have delayed symptoms](#). Don't attempt to move any injured people, unless necessary to get them out of the way of traffic.
- To avoid facing hit-and-run charges, stay at the scene of the accident, and call the police if there is significant property damage or injury. If it's only a minor fender-bender and no one is injured, you may not need to call the police, but you will still need to file a report eventually, and a police report can help your case.
- **Take the name, contact information, and license and insurance information from the other driver of drivers, and get the contact info of the passengers and any witnesses you can find.** It's not legally required to get witnesses' contact info, but they can help your case later.
- Other than the formalities, **try not to spend too much time talking to anyone; don't get angry, but don't apologize, either!** This can be used against you later. You should also **take pictures of the accident**, because these can also help your claim. If police respond to the accident, make sure to request a copy of the police report; [\[torklocal\] will help you order a free copy](#).



You must also inform the rental company that an accident took place in their car. There should be emergency number in an easy-to-access place in the car, or on your rental paperwork. Call the number, tell the representative what happened, and ask them what you should do next.

Once you have left the scene of the accident, you will need to contact the insurance company to inform them that an accident occurred. Since you are driving a rental car, this will be the insurance company which covered your rental, whether it be your regular insurance, credit card, or the rental company's insurance.

If you were at fault, the burden to pay for the damages will rest on you and the insurance coverage you have – another good reason to select your coverage carefully, and make sure you have liability included.

If the other driver was at fault, the matter will be treated like any other accident, and their insurance will pay for the damages. Typically, in these cases, the rental company will deal with the other party's insurance. In some cases, however, they may charge you directly, which will transfer the burden of dealing with the other party's insurance onto you. In these cases, it's good to have a lawyer to help you through the process.

Keep detailed medical records and medical bills, to confirm the extent of your injuries so you can receive the proper amount of damages later. You should have an independent estimation of the property damage costs, and you may also have to fill out some additional paperwork with your state's department of motor vehicles.

If all this seems like an overwhelming task given your accident injuries, or if the insurance company or rental car agency is challenging your claims, you should contact the experienced attorneys at [torklocal]. We will handle all the details, make medical appointments, and even advance you funds to cover your expenses.

We will also ensure you receive fair and adequate compensation for your rental car accident injury. Even if you don't hire us, we can give you a professional opinion to help you make your decision. [torklocal]'s lawyers have extensive experience in dealing with rental car accident cases, and will provide your initial consultation for free. And you won't pay a fee unless we win your case. Call us today at 888.845.9696.