

Bond Case Briefs

Municipal Finance Law Since 1971

AIRPORT FEES - CALIFORNIA

Turo Inc. v. Superior Court of City and County of San Francisco

Court of Appeal, First District, Division 2, California - June 28, 2022 - Cal.Rptr.3d - 2022 WL 2314801

Operator of online platform that allowed car owners to rent their cars to other platform users petitioned for writ of mandate directing Superior Court to vacate order granting state's and city's motion for summary adjudication of his cause of action for declaratory judgment that it was not in the business of renting vehicles to the public for purposes of statute authorizing municipal airports to require rental companies to collect a fee from customers on behalf of the airports.

The Court of Appeal held that operator was neither a "renal car company" nor a "rental company" subject to the airport permit and fee collection requirements.

Operator of online platform that allowed car owners to rent their cars to other platform users was neither a "rental car company" nor a "rental company" within meaning of state law, and thus, it was not required to comply with statute authorizing the municipal airport to require a rental car company permit and the collection of fees from rental customers on behalf of the airport, since operator itself did not own, possess, or control the vehicles listed on its platform; under relevant statutes, the act of renting a vehicle required ownership or control of the vehicle.