

**Statement of Carol "Cally" Houck,
Mother of Raechel and Jacqueline Houck
in support of S. 921
The Raechel and Jacqueline Houck Safe Rental Car Act
Before the U.S. Senate Commerce Subcommittee on
Consumer Protection, Product Safety and Insurance
May 21, 2013**

Good Morning, Madam Chair. Thank you for allowing me to address the committee today. I'd first like to thank Senator Schumer for authoring this legislation, named for my daughters Raechel and Jacqueline, and to Senators Murkowski, Blumenthal, Gillibrand, Casey, my own Senators Barbara Boxer and Dianne Feinstein, and you, Madam Chair, for your co-sponsorship of this important consumer safety legislation. I especially thank you and Senators Schumer and Boxer and your staffs for your hard work and leadership on this issue.

I also appreciate the rental car industry for working with us the past two years to resolve this issue. I'm pleased that all the major rental car companies now support this legislation. I especially thank Hertz for being the standard-bearer. And finally, I would like to thank all of the consumer groups who have supported this effort, particularly Consumers for Auto Reliability & Safety.

On October 7, 2004, after a four-day visit south to see the family, my girls hugged me goodbye, with words of love and thanks. Raechel had just returned from two years in Italy, and I was so proud of them as conscientious and passionate young adults. Raechel had to work that evening, and they wanted to stop and see some friends before heading out to drive back to Santa Cruz. I told them to drive safe and call me. Jackie said she'd see me in a few weeks when she was scheduled to fly from LA to Central America for a few months.

As I watched them drive away in the PT Cruiser "upgrade" they had rented up north, I did not know this would be the last time I would ever see them, hold them and kiss their precious faces. Hours later, I received the phone call dreaded by every parent. My daughters had been involved in a terrible traffic collision that took both of their lives in a fiery crash with an 18-wheeler. My life will never be the same without my treasured daughters. Our family and our lives are forever altered. The promise of life my talented daughters held was snuffed out in a matter of seconds. Raechel was 24 years young and Jacqueline had just turned 20.

In the weeks following our tragedy, still ravaged with excruciating grief and shock, we learned from friends and acquaintances that the rental car my girls were driving was under a safety recall, and after minimal investigation, we learned that the

repairs had never been made. The defect involved a power steering hose that would rub against another component, causing a high-pressure leak that ignited when it came into contact with the catalytic converter, causing an under-hood fire and loss of steering control.

We were dumbfounded. Why didn't the rental car company fix this defect before renting out a vehicle that was a ticking time bomb? After the company had received the recall notice, the vehicle had been rented three other times before my daughters rented it. Moreover, we were stunned to learn that there was no law or regulation that prohibited this reckless business practice. After five years of litigation, and a few days before trial, the rental car company finally admitted 100% liability in the deaths of Raechel and Jacqueline. Our lawsuit was NOT about the money. It was always about learning the truth, holding the company accountable, and making sure the public heard the truth, too. We refused to settle the case and sign a confidentiality agreement. We never agreed to secrecy, which is why I am able to be here today to tell my story.

We walked out of the courtroom knowing that it was likely this would happen again to someone else who rented a car under an open safety recall. We learned the company that rented that car to my kids never had a specific policy for dealing with recalled cars. The policy was to rent the car, even if the car was under an open safety recall.

During our campaign to bring this issue to the attention of lawmakers we realized that the business of renting cars under open safety recalls, either through a rental car company, or through an auto dealer, is a huge consumer problem. When the media reported on this issue, most consumers were stunned, that in fact rental cars with dangerous defects can be rented out with impunity. An online petition to pressure rental car companies into supporting common-sense legislation resulted in 150,000 signatures in 48 hours. We believed, as many consumers do, that rental car companies and auto dealers have a duty, since they are in the business of renting and selling cars, to ensure that the vehicles they are offering to the public are safe.

Every provider of rental cars, whether from a big rental car company, or a used car dealer, should be required to repair unreasonably dangerous defects before those cars are rented to the public. Recalled cars endanger the lives of everyone who shares the roads -- not only the people who are riding in them. While my daughters happened to collide with an 18-wheeler, and as a result the truck driver and his co-worker suffered relatively minor injuries, it could just as easily have been a minivan full of kids, with even more lives lost. Nobody should have to worry about whether a car they rent is safe to drive. Nobody should have to endure the loss of a loved one because a rental car company didn't bother to get an unsafe, recalled car repaired. This is simple to fix. This is do-able NOW. Please pass this law.