

Fox Rent a Car Highway Toll Class Action Lawsuit

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A class action lawsuit filed in Seattle, Washington claims Fox Rent a Car and Violation Management Services illegally scammed rental car customers by charging them as much as 16 times the amount of automatically collected highway tolls incurred during the course of their car rental.

Fox Rent a Car vehicles are equipped with automated equipment that records the vehicle's passage through a highway toll so that drivers can proceed non-stop without having to pay the toll at the time of use. Fox is later billed for the toll by highway authorities.

According to the Fox Rent a Car class action lawsuit, Fox and other rental car companies have several options available to ensure they do not incur toll charges in the first place and/or that they are able to recoup the actual cost of toll charges incurred by customers during the course of the rental. This includes registering their fleets' plates with "EXpress Toll" so that their renters' tolls will be automatically applied to the rental agreement, paying the toll and then collecting the actual cost of the toll from the customer, or responding to toll bills by providing the issuing authority information regarding the rental so that the toll can be collected by the issuing authority directly from the customer.

Fox does not use any of these options, however, and has chosen instead to conspire with Violation Management Services "to turn Fox customers' tolls into an illegal profit center for themselves," the class action lawsuit says.

Rather than taking advantage of any of these collection options, "Fox has retained Violation Management Services to act as its alleged 'administrator and processor' of such tolls. Pursuant to this arrangement, VMS unilaterally charges customers' credit cards for the amount of the tolls, plus an exorbitant 'service fee' – possibly varying in amount but *sometimes exceeding 1600% of the actual toll*. This 'service fee' is not authorized by customers, is not properly disclosed to customers, far exceeds any actual cost to Fox and/or VMS for the collection of the toll, is arbitrary and unreasonable, and is accompanied by numerous false and deceptive statements about the alleged right to collect the 'service fee.'

"The 'service fee' is nothing other than an illegal scam to collect from customers amounts that they do not owe. Indeed, VMS makes no bones about its practices, having indicated on its website that its business is to turn the collection of such tolls 'into a profitable customer service solution.' VMS further shares the spoils of its illegally-collected 'service fees' with the rental car companies with whom it contracts, offering to pay them a kickback in the form of a 'summons incentive . . . for each service fee collected' from customers," states the class action lawsuit.

The class action lawsuit is brought on behalf of all Washington residents or entities who, within the applicable limitations period, have been charged a "service fee" by VMS in connection with the incurrence or alleged incurrence of automatic highway tolls during the course of a vehicle rental from Fox. It is asking for damages to class members, including a full refund of any money they paid for "service fees" and tolls.

A copy of the **Fox Rent a Car and Violation Management Services Class Action Lawsuit** can be read [here](#). The case is *Averil Rothrock, et al. v. Violation Management Services, Inc. and Fox Rent a Car, Inc.*, Case No. 11-2-18292-4 SEA, Superior Court of Washington for King County, Seattle Division.