

Bill Summary
1st Session of the 58th Legislature

Bill No.:	SB 355
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Author:	Sen. Rosino
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Bill Analysis

SB 355 creates the Peer-to-Peer Car Sharing Program Act. A peer-to-peer car sharing program is defined as business platform that connects vehicle owners with drivers to enable the sharing of vehicles for financial consideration. The program is required by the measure to assume liability of a shared vehicle owner for bodily injury or property damage to third parties or uninsured and underinsured motorist or personal injury protection losses during the car sharing period. The program is exempted from this provision, provided the car owner makes an intentional or fraudulent material representation or omission to the program or acts in concert with a shared vehicle driver who fails to return the shared vehicle. The measure further requires such programs to disclose to shared vehicle owners or drivers certain facts pertaining to the insured vehicle and liability. The program may own the named insured one or more policies of motor vehicle liability insurance.

The program is required to ensure each of its drivers and vehicle owners are insured under a motor vehicle liability insurance policy that meets certain requirements outlined in the measure. The program's, driver's, or owner's insurer shall indemnify the car sharing program if it is determined that the shared motor vehicle's owner was in control of the shared motor vehicle at the time of the loss. Coverage under an automobile insurance policy maintained by the peer-to-peer car sharing program shall not be dependent on another automobile insurer first denying a claim. The measure also requires the program to notify the driver of a vehicle with a lien on it may the terms of the contract with the lienholder.

The measure authorizes insurers to exclude any and all coverage and the duty to defend or indemnify for any claim afforded under a shared vehicle owner's motor vehicle liability insurance policy in certain conditions. The program is also required to collect and verify records pertaining to the use of a vehicle. No program may enter into an agreement with a driver that does not meet certain standards outlined in the measure. Programs operating at an airport within the state are required to seek an agreement with the airport upon the airport's request. An airport may seek an injunction against any program that fails to reach or acquire an agreement with the airport.

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