

Honolulu, Hawaii

FEB 14 , 2020

RE: H.B. No. 1833  
H.D. 2

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirtieth State Legislature  
Regular Session of 2020  
State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred H.B. No. 1833, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO PEER-TO-PEER CAR-SHARING,"

begs leave to report as follows:

The purpose of this measure is to regulate peer-to-peer car-sharing in the State.

Your Committee received testimony in support of this measure from Getaround, Turo, and TechNet. Your Committee received testimony in opposition to this measure from the Hawaii Association for Justice. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Department of Taxation, Department of Transportation, Avail, and Enterprise Holdings.

Your Committee finds that peer-to-peer car-sharing provides an alternative form of transportation for persons who do not own a car, nor wish to use public transportation. However, your Committee finds that, unlike the motor vehicle rental industry, peer-to-peer car-sharing lacks certain protections for shared car owners and shared car drivers. This measure will allow consumers to take full advantage of peer-to-peer car-sharing programs with assurance that certain safeguards will be in place prior to vehicles being made available.



Your Committee has amended this measure by:

- (1) Clarifying that a peer-to-peer car-sharing program cannot make a shared car available through its business platform when the shared car owner's motor vehicle insurance policy excludes any coverage required by this measure;
- (2) Deleting the provision exempting peer-to-peer car-sharing programs and shared car owners from vicarious liability under certain state or local law;
- (3) Clarifying that shared car drivers who are nonresidents must possess a driver's license that is accepted by the State, as not all foreign driver's licenses are valid in the State;
- (4) Clarifying responsibilities in situations of damage to or theft of peer-to-peer car-sharing program equipment;
- (5) Prohibiting peer-to-peer car-sharing programs and shared car owners from requiring shared car drivers to make advance deposits for damages to shared cars;
- (6) Clarifying the responsibilities of the peer-to-peer car-sharing program and shared car owner with respect to motor vehicle safety recalls;
- (7) Deeming violations of the new chapter governing the regulation of peer-to-peer car-sharing programs as unfair or deceptive acts or practices; and
- (8) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1833, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 1833, H.D. 2.



Respectfully submitted on  
behalf of the members of the  
Committee on Consumer  
Protection & Commerce,



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ROY M. TAKUMI, Chair



State of Hawaii  
House of Representatives **HSCR 518-20**  
The THIRTIETH Legislature

**Record of Votes of the Committee on Consumer Protection & Commerce**

Bill/Resolution No.: <b>HB 1833 HDI</b>	Committee Referral: <b>TRN, CPC, FIU</b>	Date: <b>2/10/20</b>		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
CPC Members	Ayes	Ayes (WR)	Nays	Excused
1. TAKUMI, Roy M. (C)	✓			
2. ICHIYAMA, Linda (VC)	✓			
3. AQUINO, Henry J.C.	✓			
4. BELATTI, Della Au	✓			
5. CABANILLA ARAKAWA, Rida	✓			
6. CACHOLA, Romy M.	✓			
7. HAR, Sharon E.	✓			
8. KONG, Sam Satoru	✓			
9. MIZUNO, John M.	✓			
10. ONISHI, Richard H.K.	✓			
11. MATSUMOTO, Lauren	✓			
<b>TOTAL (11)</b>	<b>11</b>	<b>0</b>	<b>0</b>	<b>0</b>
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align: center; font-size: small;">committee acronym(s)</div>				
Vice Chair's or designee's signature: <u><i>Linda Ching</i></u>				
Distribution:    Original (White) – Committee    Duplicate (Yellow) – Chief Clerk's Office    Duplicate (Pink) – HMSO				