

STAND. COM. REP. NO.

505

Honolulu, Hawaii

, 2021

FEB 19

RE: H.B. No. 333

H.D. 2

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirty-First State Legislature  
Regular Session of 2021  
State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred H.B. No. 333, 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:

- (1) Establish rules, regulations, and procedures for peer-to-peer car-sharing; and
- (2) Establish a peer-to-peer car-sharing surcharge tax.

Your Committee received testimony in support of this measure from the Department of Transportation, Enterprise Holdings, Turo, Internet Association, 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 Taxation, Office of Consumer Protection of the Department of Commerce and Consumer Affairs, Insurance Division of the Department of Commerce and Consumer Affairs, and Tax Foundation of Hawaii.

Your Committee finds that peer-to-peer car-sharing is the process whereby car owners make their vehicles available for others to rent for short periods of time. The process provides an



alternative form of transportation for persons who do not own a car or do not wish to use public transportation.

However, your Committee further finds that peer-to-peer car-sharing lacks certain protections for the car owners. For example, most private consumer motor vehicle insurance policies do not include coverage for incidents arising out of the commercial use of a motor vehicle. This measure ensures that consumer protections are established with respect to the operation of a peer-to-peer car-sharing program.

Your Committee notes that existing law authorizes the Airport Division of the Department of Transportation to establish policies and rules governing use and access to the airports' premises. As such, peer-to-peer car-sharing programs will be subject to these rules when operating at the State's airports.

Your Committee has amended this measure by:

- (1) Clarifying that the Peer-to-Peer Car-Sharing Surcharge Tax applies and is levied on the operator of the peer-to-peer car-sharing programs; and
- (2) 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. 333, 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. 333, H.D. 2.

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

  
\_\_\_\_\_  
AARON LING JOHANSON, Chair



State of Hawaii  
House of Representatives  
The Thirty-first Legislature **HSCR 505**

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

Bill/Resolution No.: <b>HB 333 HD 1</b>	Committee Referral: <b>TRN, CPC, FIN</b>	Date: <b>2/16/2021</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. JOHANSON, Aaron Ling (C)	✓			
2. KITAGAWA, Lisa (VC)	✓			
3. AQUINO, Henry J.C.	✓			
4. HAR, Sharon E.	✓			
5. HASHEM, Mark J.				✓
6. KONG, Sam Satoru	✓			
7. MIZUNO, John M.	✓			
8. MORIKAWA, Dee	✓			
9. ONISHI, Richard H.K.	✓			
10. TARNAS, David A.	✓			
11. MATSUMOTO, Lauren	✓			
<b>TOTAL (11)</b>	<b>10</b>	<b>0</b>	<b>0</b>	<b>1</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>Lisa Kitagawa</i></u>				
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