
A BILL FOR AN ACT

RELATING TO INSURANCE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 431:10C-801, Hawaii Revised Statutes,
2 is amended as follows:

3 1. By amending the definitions of "car-sharing termination
4 time" and "peer-to-peer car-sharing" to read:

5 "Car-sharing termination time" means the [~~latest~~]
6 earliest of the following events:

7 (1) The expiration of the agreed upon period of time
8 established for the use of a shared car according to
9 the terms of the car-sharing program agreement if
10 the shared car is delivered to the location agreed
11 upon in the car-sharing program agreement;

12 (2) When the shared car is returned to a location as
13 alternatively agreed upon by the shared car owner
14 and shared car driver as communicated through a
15 peer-to-peer car-sharing program[+], which
16 alternatively agreed upon location shall be



1 incorporated into the car-sharing program agreement;
2 or
3 ~~[-(3) When a shared car is returned to the location agreed~~
4 ~~upon in the car-sharing program agreement or~~
5 ~~alternatively agreed upon by the shared car owner~~
6 ~~and the shared car driver, as communicated through a~~
7 ~~peer-to-peer car sharing program, before the~~
8 ~~expiration of the period of time established for the~~
9 ~~use of a shared car according to the terms of the~~
10 ~~car-sharing program agreement, and the shared car~~
11 ~~driver notifies the peer-to-peer car sharing program~~
12 ~~of the location of the shared car;~~
13 ~~(4) When a shared car, during the car-sharing period,~~
14 ~~cannot safely or legally be operated and the shared~~
15 ~~car driver notifies the peer-to-peer car sharing~~
16 ~~program that the shared car is inoperable and~~
17 ~~identifies the location of the shared car;~~
18 ~~(5) When the shared car owner receives notice of a~~
19 ~~safety recall affecting the shared car and the~~
20 ~~shared car driver returns the shared car to the~~
21 ~~location agreed upon in the car-sharing program~~



1 ~~agreement, or alternatively agreed upon by the~~
2 ~~shared car owner and the shared car driver, and the~~
3 ~~shared car driver notifies the peer-to-peer car-~~
4 ~~sharing program of the location of the shared car;~~
5 ~~or~~

6 ~~(6)]~~ (3) When the shared car owner or the shared car
7 owner's authorized designee takes possession and
8 control of the shared car.

9 "Peer-to-peer car-sharing" means the authorized
10 operation, use, or control of a motor vehicle by an
11 individual other than the motor vehicle's owner through a
12 peer-to-peer car-sharing program. "Peer-to-peer car-
13 sharing", for the purposes of assessing a vehicle surcharge
14 tax, does not mean the business of providing rental motor
15 vehicles to the public as that phrase is used in section 251-
16 3."

17 2. By amending the definitions of "peer-to-peer car-
18 sharing program" and "shared car" to read:

19 ""Peer-to-peer car-sharing program" means:



- 1 (1) Any person who enables a shared car driver to
- 2 identify, reserve, or use a shared car owned by a
- 3 shared car owner; or
- 4 (2) Any person who enables a shared car owner to
- 5 describe, list, or make available a shared car for
- 6 identification, reservation, or use by a shared car
- 7 driver.

8 "Peer-to-peer car-sharing program" does not include:

- 9 (1) A transportation network company as defined in
- 10 section 431:10C-701;
- 11 (2) A car-sharing organization as defined in section
- 12 251-1;
- 13 (3) Any person registered and acting as a travel agency
- 14 pursuant to chapter 468L; [~~or~~]
- 15 (4) Any person registered and acting as an activity desk
- 16 pursuant to chapter 468M[~~+~~]; or
- 17 (5) A lessor as defined in section 251-1 or 437D-3.

18 "Shared car" means a motor vehicle that is registered
19 pursuant to chapter 286 [~~and~~]; is not owned[~~+~~],
20 controlled[~~+~~], operated[~~+~~], maintained[~~+~~], or managed by or
21 registered, directly or indirectly through an affiliate, to



1 the peer-to-peer car-sharing program; and is available for
2 sharing through a peer-to-peer car-sharing program.

3 "Shared car" does not include [a]:

4 (1) A rental motor vehicle or vehicle as those terms are
5 defined in section 437D-3[-]; or

6 (2) A rental or U-drive motor vehicle as defined in
7 section 286-2."

8 3. By amending the definition of "shared car owner" to
9 read:

10 ""Shared car owner" means the registered owner of a
11 shared car. "Shared car owner" does not include a lessor as
12 defined in section 251-1 or 437D-3."

13 SECTION 2. Act 56, Session Laws of Hawaii 2022, is amended
14 by amending section 5 to read as follows:

15 "SECTION 5. This Act shall take effect on January 1,
16 2023[~~, and shall be repealed on June 30, 2025~~]."

17 SECTION 3. Statutory material to be repealed is bracketed
18 and stricken. New statutory material is underscored.

19 SECTION 4. This Act shall take effect upon its approval.

20



Report Title:

Insurance; Motor Vehicle Insurance; Peer-to-Peer Car-Sharing;
Programs; Shared Cars

Description:

Clarifies when the termination of peer-to-peer car-sharing occurs for purposes of motor vehicle insurance. Clarifies the application of the peer-to-peer car-sharing insurance laws as to other entities that make available rental vehicles under state law. Repeals the sunset of the peer-to-peer car-sharing insurance requirements. (HD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

