

## ACT 210

S.B. NO. 1502

A Bill for an Act Relating to Transportation.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. Chapter 279L, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

**“§279L- Parking; regulation.** (a) The department of transportation may regulate parking utilized by peer-to-peer car sharing at state airports.

(b) The counties may, by ordinance, regulate parking utilized by shared cars.”

SECTION 2. Section 431:10C-802, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) A peer-to-peer car-sharing program shall ensure that during each car-sharing period, the shared car ~~[shall be]~~ is insured under a motor vehicle insurance policy that ~~[shall provide:]~~ provides:

- (1) Primary insurance coverage for each shared car available and used through a peer-to-peer car-sharing program in amounts ~~[not]~~ no less than ~~[\$750,000]~~ four times the amounts set forth in section 431:10C-301(b) for death, bodily injury, and property damage per accident, and costs of defense outside the limits;
- (2) Primary insurance coverage for each shared car available and used through a peer-to-peer car-sharing program for personal injury protection coverage that meets the minimum coverage amounts required by section 431:10C-103.5; and
- (3) The following optional coverages, which any named insured may elect to reject or purchase, that provides primary coverage for each shared car available and used through a peer-to-peer car-sharing program:
  - (A) Uninsured and underinsured motorist coverages as provided in section 431:10C-301, which shall be equal to the primary liability limits specified in this section; provided that uninsured and underinsured motorist coverage offers shall provide for written rejection of the coverages as provided in section 431:10C-301;
  - (B) Uninsured and underinsured motorist coverage stacking options as provided in section 431:10C-301; provided that the offer of the stacking options shall provide for written rejection as provided in section 431:10C-301;
  - (C) An offer of required optional additional insurance coverages as provided in section 431:10C-302; and
  - (D) In the event the only named insured under the motor vehicle insurance policy issued pursuant to this section is the peer-to-peer car-sharing program, the insurer or the peer-to-peer car-sharing program shall:
    - (i) Disclose the coverages in writing to the ~~[peer-to-peer car-sharing]~~ shared car driver;
    - (ii) Disclose to the ~~[peer-to-peer car-sharing]~~ shared car driver in writing that all optional coverages available may not have been purchased under sections 431:10C-301 and 431:10C-302; and

- (iii) Obtain a written acknowledgement from the ~~[peer-to-peer car-sharing]~~ shared car driver of receipt of the written disclosures required in paragraphs (1) and (2). The standard disclosure forms used in paragraphs (1) and (2), and every modification of ~~[such]~~ forms intended to be used, shall be filed with the commissioner within fifteen days of providing ~~[such]~~ the disclosure to the ~~[peer-to-peer car-sharing]~~ shared car driver. The insurer or the peer-to-peer car-sharing program shall also send to the ~~[peer-to-peer car-sharing]~~ shared car driver every modified disclosure form within fifteen days of the filing of ~~[such]~~ the modified disclosure form and comply with paragraph (3). ~~[Such]~~ The disclosures and acknowledgement may be sent and received by electronic means.”

SECTION 3. Act 56, Session Laws of Hawaii 2022, is amended by amending section 5 to read as follows:

“SECTION 5. This Act shall take effect on January 1, 2023~~[-and shall be repealed on June 30, 2025].~~”

SECTION 4. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.<sup>1</sup>

SECTION 5. This Act shall take effect on January 1, 2024.

(Approved July 3, 2023.)

**Note**

1. Edited pursuant to HRS §23G-16.5.