

STAND. COM. REP. NO.

3638

Honolulu, Hawaii

JUN 22 2020

RE: H.B. No. 1833  
H.D. 2  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirtieth State Legislature  
Regular Session of 2020  
State of Hawaii

Sir:

Your Committees on Transportation and Commerce, Consumer Protection, and Health, to which was referred H.B. No. 1833, H.D. 2, entitled:

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

beg leave to report as follows:

The purpose and intent of this measure is to regulate peer-to-peer car sharing in Hawaii by creating certain insurance, notice, recordkeeping, and disclosure requirements.

Your Committees received testimony in support of this measure from the Department of Transportation and SanHi Government Strategies, LLLP. Your Committees received testimony in opposition to this measure from Avail, Inc./Allstate and Hawaii Association for Justice. Your Committees received comments on this measure from Department of Taxation; Department of Commerce and Consumer Affairs; Tax Foundation of Hawaii; Getaround, Inc.; and Turo, Inc.

Your Committees find that this measure creates a new chapter in the Hawaii Revised Statutes to govern peer-to-peer car sharing in Hawaii. However, your Committees also find that the measure lacks adequate protection for consumers. Furthermore, your Committees find that the measure, as written, subjects peer-to-peer car sharing programs to double taxation.



Accordingly, your Committees have amended this measure by:

- (1) Adopting the proposed amendments from the Department of Commerce and Consumer Affairs, which improves consumer protection by requiring peer-to-peer car sharing programs to:
  - (A) Provide primary insurance coverage;
  - (B) Disclose to the consumer all required taxes and fees, costs, insurance costs, and total price to rent the vehicle;
  - (C) Collect complete and accurate data such as insurance policy numbers, coverage amounts, and the names and contact information of car share drivers and car share owners; and
  - (D) Remove vehicles subject to recall from the peer-to-peer car sharing platform;
- (2) Adopting the proposed amendments from the Department of Taxation, which clarify that the Rental Vehicle Surcharge Tax marketplace facilitator is not the lessor of the vehicle; and
- (3) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Transportation and Commerce, Consumer Protection, and Health that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1833, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1833, H.D. 2, S.D. 1, and be referred to your Committee on Ways and Means.



Respectfully submitted on  
behalf of the members of the  
Committees on Transportation  
and Commerce, Consumer  
Protection, and Health,

  
\_\_\_\_\_  
ROSALYN H. BAKER, Chair

  
\_\_\_\_\_  
LORRAINE R. INOUYE, Chair



The Senate  
Thirtieth Legislature  
State of Hawai'i

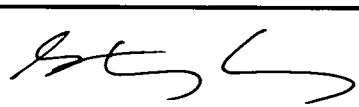
**Record of Votes**  
**Committee on Transportation**  
**TRS**

Bill / Resolution No.:*	Committee Referral:	Date:									
HB 1833 HDZ	TRS/CPH, WAM	3/16/20									
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____											
The Recommendation is:											
<input type="checkbox"/> Pass, unamended 2312		<input checked="" type="checkbox"/> Pass, with amendments 2311									
		<input type="checkbox"/> Hold 2310	<input type="checkbox"/> Recommit 2313								
Members	Aye	Aye (WR)	Nay	Excused							
INOUE, Lorraine R. (C)	✓										
HARIMOTO, Breene (VC)				✓							
ENGLISH, J. Kalani				✓							
SHIMABUKURO, Maile S.L.	✓										
FEVELLA, Kurt	✓										
<b>TOTAL</b>	3			2							
Recommendation: <input checked="" type="checkbox"/> Adopted <span style="margin-left: 100px;"><input type="checkbox"/> Not Adopted</span>											
Chair's or Designee's Signature:											
Distribution: <table style="width:100%; border:none; text-align:center;"> <tr> <td>Original</td> <td>Yellow</td> <td>Pink</td> <td>Goldenrod</td> </tr> <tr> <td>File with Committee Report</td> <td>Clerk's Office</td> <td>Drafting Agency</td> <td>Committee File Copy</td> </tr> </table>				Original	Yellow	Pink	Goldenrod	File with Committee Report	Clerk's Office	Drafting Agency	Committee File Copy
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File with Committee Report	Clerk's Office	Drafting Agency	Committee File Copy								

\*Only one measure per Record of Votes

The Senate  
Thirtieth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Commerce, Consumer Protection, and Health**  
**CPH**

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 1833 HD2	TRS/CPH, WAM	3/16/20		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312	<input checked="" type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310		
<input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
BAKER, Rosalyn H. (C)	✓			
CHANG, Stanley (VC)	✓			
NISHIHARA, Clarence K.				✓
RUDERMAN, Russell E.				✓
THIELEN, Laura H.				✓
WAKAI, Glenn	✓			
FEVELLA, Kurt	✓			
<b>TOTAL</b>	4			3
Recommendation:				
<input checked="" type="checkbox"/> Adopted <span style="margin-left: 200px;"><input type="checkbox"/> Not Adopted</span>				
Chair's or Designee's Signature:				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

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