
A BILL FOR AN ACT

RELATING TO TRANSPORTATION.

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

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

4 "§279L- Parking; regulation. (a) The department of
5 transportation may regulate parking utilized by peer-to-peer car
6 sharing at state airports.

7 (b) The counties may, by ordinance, regulate parking
8 utilized by peer-to-peer car sharing along county streets."

9 SECTION 2. Chapter 431, Hawaii Revised Statutes, is
10 amended by adding a new section to part VIII of article 10C to
11 be appropriately designated and to read as follows:

12 "§431:10C- Insurance coverage during car share period;
13 hourly usage. (a) Hourly peer-to-peer car sharing operators
14 shall ensure that during each car-sharing period, the shared car
15 shall be insured at the following rates:

16 (1) times the personal injury protection benefit
17 pursuant to section 431:10C-103.5; and



1 (2) times the basic liability coverage as required
2 by section 431:10C-301.

3 (b) As used in this section, "hourly" means in increments
4 of one hour, up to twenty-four hours. "Hourly" shall not be
5 constrained to a calendar day."

6 SECTION 3. Section 431:10C-802, Hawaii Revised Statutes,
7 is amended by amending subsection (a) to read as follows:

8 "(a) [A] Except as provided in section 431:10C- , a
9 peer-to-peer car-sharing program shall ensure that during
10 each car-sharing period, the shared car shall be insured
11 under a motor vehicle insurance policy that shall provide:

12 (1) Primary insurance coverage for each shared car
13 available and used through a peer-to-peer car-
14 sharing program in amounts not less than \$750,000
15 for death, bodily injury, and property damage per
16 accident, and costs of defense outside the limits;

17 (2) Primary insurance coverage for each shared car
18 available and used through a peer-to-peer car-
19 sharing program for personal injury protection
20 coverage that meets the minimum coverage amounts
21 required by section 431:10C-103.5; and



1 (3) The following optional coverages, which any named
2 insured may elect to reject or purchase, that
3 provides primary coverage for each shared car
4 available and used through a peer-to-peer car-
5 sharing program:

6 (A) Uninsured and underinsured motorist coverages
7 as provided in section 431:10C-301, which shall
8 be equal to the primary liability limits
9 specified in this section; provided that
10 uninsured and underinsured motorist coverage
11 offers shall provide for written rejection of
12 the coverages as provided in section 431:10C-
13 301;

14 (B) Uninsured and underinsured motorist coverage
15 stacking options as provided in section
16 431:10C-301; provided that the offer of the
17 stacking options shall provide for written
18 rejection as provided in section 431:10C-301;

19 (C) An offer of required optional additional
20 insurance coverages as provided in section
21 431:10C-302; and



1 (D) In the event the only named insured under the
2 motor vehicle insurance policy issued pursuant
3 to this section is the peer-to-peer car-sharing
4 program, the insurer or the peer-to-peer car-
5 sharing program shall: :
6 (i) Disclose the coverages in writing to the
7 peer-to-peer car-sharing driver;
8 (ii) Disclose to the peer-to-peer car-sharing
9 driver in writing that all optional
10 coverages available may not have been
11 purchased under sections 431:10C-301 and
12 431:10C-302; and
13 (iii) Obtain a written acknowledgement from the
14 peer-to-peer car-sharing driver of receipt
15 of the written disclosures required in
16 paragraphs (1) and (2). The standard
17 disclosure forms used in paragraphs (1)
18 and (2), and every modification of [such]
19 forms intended to be used, shall be filed
20 with the commissioner within fifteen days
21 of providing [such] the disclosure to the



1 peer-to-peer car-sharing driver. The
2 insurer or the peer-to-peer car-sharing
3 program shall also send to the peer-to-
4 peer car-sharing driver every modified
5 disclosure form within fifteen days of
6 [~~such~~] the filing of the modified
7 disclosure form and comply with paragraph
8 (3). [~~Such~~] The disclosures and
9 acknowledgement may be sent and received
10 by electronic means."

11 SECTION 4. Statutory material to be repealed is bracketed
12 and stricken. New statutory material is underscored.

13 SECTION 5. This Act shall take effect on July 1, 2050:



Report Title:

Peer-to-Peer Car Sharing; Hourly Usage; Insurance Rates;
Department of Transportation; Airports; Counties; Streets;
Parking; Regulation

Description:

Requires hourly peer-to-peer car sharing operators to insure the shared car with personal injury protection benefit and basic liability coverage. Authorizes the Department of Transportation to regulate peer-to-peer car share parking at state airports. Authorizes the counties to regulate peer-to-peer parking on county streets. Takes effect 7/1/2050. (SD2)

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