

JAN 25 2023

A BILL FOR AN ACT

RELATING TO TRANSPORTATION.

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

1 SECTION 1. Chapter 431, Hawaii Revised Statutes, is
2 amended by adding a new section to part VIII to be appropriately
3 designated and to read as follows:

4 "§431:10C- Insurance coverage during car share period;
5 hourly usage. (a) Hourly peer-to-peer car sharing operators
6 shall ensure that during each car-sharing period, the shared car
7 shall be insured at the following rates:

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

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

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

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



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

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

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

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

20 (A) Uninsured and underinsured motorist coverages
21 as provided in section 431:10C-301, which shall



1 be equal to the primary liability limits
2 specified in this section; provided that
3 uninsured and underinsured motorist coverage
4 offers shall provide for written rejection of
5 the coverages as provided in section 431:10C-
6 301;

7 (B) Uninsured and underinsured motorist coverage
8 stacking options as provided in section
9 431:10C-301; provided that the offer of the
10 stacking options shall provide for written
11 rejection as provided in section 431:10C-301;

12 (C) An offer of required optional additional
13 insurance coverages as provided in section
14 431:10C-302; and

15 (D) In the event the only named insured under the
16 motor vehicle insurance policy issued pursuant
17 to this section is the peer-to-peer car-sharing
18 program, the insurer or the peer-to-peer car-
19 sharing program shall:

20 (i) Disclose the coverages in writing to the
21 peer-to-peer car-sharing driver;



1 (ii) Disclose to the peer-to-peer car-sharing
2 driver in writing that all optional
3 coverages available may not have been
4 purchased under sections 431:10C-301 and
5 431:10C-302; and

6 (iii) Obtain a written acknowledgement from the
7 peer-to-peer car-sharing driver of receipt
8 of the written disclosures required in
9 paragraphs (1) and (2). The standard
10 disclosure forms used in paragraphs (1)
11 and (2), and every modification of such
12 forms intended to be used, shall be filed
13 with the commissioner within fifteen days
14 of providing such disclosure to the peer-
15 to-peer car-sharing driver. The insurer
16 or the peer-to-peer car-sharing program
17 shall also send to the peer-to-peer car-
18 sharing driver every modified disclosure
19 form within fifteen days of the filing of
20 such modified disclosure form and comply
21 with paragraph (3). Such disclosures and



1 acknowledgement may be sent and received
2 by electronic means."

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

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

6

INTRODUCED BY: 



S.B. NO. 1502

Report Title:

Peer-to-Peer Car Sharing; Hourly Usage; Insurance Rates

Description:

Requires hourly peer-to-peer car sharing operators to insure the shared car at four times the personal injury protection benefit and basic liability coverage.

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

