

By Senator Perry

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1 A bill to be entitled
2 An act relating to motor vehicle rentals; amending s.
3 212.0606, F.S.; defining and revising terms; requiring
4 specified surcharges to be imposed upon the lease or
5 rental of a certain motor vehicle if the lease or
6 rental is facilitated by a car-sharing service, a
7 motor vehicle rental company, or a peer-to-peer
8 vehicle-sharing program under certain circumstances;
9 creating s. 627.747, F.S.; defining terms; providing
10 financial responsibility requirements for peer-to-peer
11 vehicle-sharing programs; providing applicability;
12 requiring specified entities to maintain certain motor
13 vehicle liability insurance; providing certain
14 indemnification requirements; providing construction;
15 requiring a peer-to-peer vehicle-sharing program to
16 give certain notice to a peer-to-peer vehicle owner
17 relating to the implications of a lien under certain
18 circumstances; authorizing a certain insurer to
19 exclude coverage and the duty to defend or indemnify a
20 vehicle owner for any claim under his or her motor
21 vehicle liability insurance policy; providing
22 construction; requiring a peer-to-peer vehicle-sharing
23 program to collect, verify, and retain certain
24 records, subject to certain requirements; requiring
25 the program to provide the records to certain entities
26 under certain circumstances; authorizing a motor
27 vehicle insurer that defends or indemnifies a claim
28 arising from the operation of a peer-to-peer vehicle
29 that is excluded under the terms of its policy to seek

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30 contribution against specified entities under certain
31 circumstances; providing that a peer-to-peer vehicle-
32 sharing program has an insurable interest in a vehicle
33 during the sharing period; providing construction;
34 authorizing a peer-to-peer vehicle-sharing program to
35 own and maintain as the named insured policies of
36 motor vehicle liability insurance which provide
37 specified coverage; requiring each peer-to-peer
38 vehicle-sharing program agreement made in this state
39 to disclose specified information to the peer-to-peer
40 vehicle owner and the peer-to-peer vehicle driver;
41 requiring a peer-to-peer vehicle-sharing program to
42 have sole responsibility for certain equipment;
43 requiring the program to agree to indemnify and hold
44 harmless the owner for any damage to or theft of such
45 equipment under certain circumstances; authorizing the
46 program to seek indemnity from the driver for any loss
47 or damage to such equipment which occurs during the
48 sharing period; requiring a peer-to-peer vehicle-
49 sharing program to verify certain information and
50 notify the peer-to-peer vehicle owner of certain
51 requirements related to safety recalls, subject to
52 certain requirements; providing restrictions and
53 requirements for the owner if he or she has received
54 notice of a certain safety recall on the vehicle;
55 prohibiting a peer-to-peer vehicle-sharing program
56 from entering into a certain agreement with a driver
57 unless the driver meets specified requirements related
58 to a driver license or authorization to drive peer-to-

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59 peer vehicles; prohibiting the program from renting a
60 motor vehicle to another until the driver license of
61 the peer-to-peer vehicle driver has been inspected and
62 verified as being unexpired; requiring the program to
63 keep specified records; requiring such records to be
64 open to inspection by specified entities; providing
65 that, under certain circumstances, the peer-to-peer
66 vehicle-sharing program is deemed to have met
67 specified requirements when the program requires the
68 driver to verify at a certain time that he or she is
69 duly licensed and that the license is unexpired;
70 providing an effective date.

71
72 Be It Enacted by the Legislature of the State of Florida:

73
74 Section 1. Section 212.0606, Florida Statutes, is amended
75 to read:

76 212.0606 Rental car surcharge.—

77 (1) As used in this section, the term:

78 (a) "Car-sharing service" means a membership-based
79 organization or business, or division thereof, which requires
80 the payment of an application fee or a membership fee and
81 provides member access to motor vehicles:

82 1. Only at locations that are not staffed by car-sharing
83 service personnel employed solely for the purpose of interacting
84 with car-sharing service members;

85 2. Twenty-four hours per day, 7 days per week;

86 3. Only through automated means, including, but not limited
87 to, a smartphone application or an electronic membership card;

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88 4. On an hourly basis or for a shorter increment of time;

89 5. Without a separate fee for refueling the motor vehicle;

90 6. Without a separate fee for minimum financial
91 responsibility liability insurance; and

92 7. Owned or controlled by the car-sharing service or its
93 affiliates.

94 (b) "Dealer" means a car-sharing service, motor vehicle
95 rental company, or peer-to-peer vehicle-sharing program.

96 (c) "Motor vehicle rental company" means an entity that is
97 in the business of providing motor vehicles to the public under
98 a rental agreement for 30 days or less for financial
99 consideration.

100 (d) "Peer-to-peer vehicle-sharing program" has the same
101 meaning as in s. 627.747.

102 (2)(1) Except as provided in subsection (3) (2), a
103 surcharge of \$2 per day or any part of a day is imposed upon the
104 lease or rental of a motor vehicle that is licensed for hire and
105 designed to carry fewer than nine passengers, regardless of
106 whether the motor vehicle is licensed in this state, if the
107 lease or rental is facilitated, in person or through digital
108 means, by a car-sharing service, a motor vehicle rental company,
109 or a peer-to-peer vehicle-sharing program for financial
110 consideration without transfer of the title of the motor
111 vehicle. The surcharge applies to only the first 30 days of the
112 term of a lease or rental. The surcharge is subject to all
113 applicable taxes imposed by this chapter.

114 (3)(2) A member of a car-sharing service who uses a motor
115 vehicle as described in subsection (2) (1) for less than 24
116 hours pursuant to an agreement with the car-sharing service

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117 shall pay a surcharge of \$1 per usage. A member of a car-sharing
118 service who uses the same motor vehicle for 24 hours or more
119 shall pay a surcharge of \$2 per day or any part of a day as
120 provided in subsection (2) ~~(1)~~. The surcharge imposed under this
121 subsection does not apply to the lease, rental, or use of a
122 motor vehicle from a location owned, operated, or leased by or
123 for the benefit of an airport or airport authority

124 ~~For purposes of this subsection, the term "car-sharing~~
125 ~~service" means a membership-based organization or business, or~~
126 ~~division thereof, which requires the payment of an application~~
127 ~~or membership fee and provides member access to motor vehicles;~~

128 ~~(a) Only at locations that are not staffed by car-sharing~~
129 ~~service personnel employed solely for the purpose of interacting~~
130 ~~with car-sharing service members;~~

131 ~~(b) Twenty-four hours per day, 7 days per week;~~

132 ~~(c) Only through automated means, including, but not~~
133 ~~limited to, smartphone applications or electronic membership~~
134 ~~cards;~~

135 ~~(d) On an hourly basis or for a shorter increment of time;~~

136 ~~(e) Without a separate fee for refueling the motor vehicle;~~

137 ~~(f) Without a separate fee for minimum financial~~
138 ~~responsibility liability insurance; and~~

139 ~~(g) Owned or controlled by the car-sharing service or its~~
140 ~~affiliates.~~

141
142 ~~The surcharge imposed under this subsection does not apply to~~
143 ~~the lease, rental, or use of a motor vehicle from a location~~
144 ~~owned, operated, or leased by or for the benefit of an airport~~
145 ~~or airport authority.~~

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146 (4)~~(3)~~(a) Notwithstanding s. 212.20, and less the costs of
147 administration, 80 percent of the proceeds of this surcharge
148 shall be deposited in the State Transportation Trust Fund, 15.75
149 percent of the proceeds of this surcharge shall be deposited in
150 the Tourism Promotional Trust Fund created in s. 288.122, and
151 4.25 percent of the proceeds of this surcharge shall be
152 deposited in the Florida International Trade and Promotion Trust
153 Fund. For the purposes of this subsection, the term "proceeds of
154 this surcharge" ~~of the surcharge~~ means all funds collected and
155 received by the department under this section, including
156 interest and penalties on delinquent surcharges. The department
157 shall provide the Department of Transportation rental car
158 surcharge revenue information for the previous state fiscal year
159 by September 1 of each year.

160 (b) Notwithstanding any other provision of law, the
161 proceeds deposited in the State Transportation Trust Fund shall
162 be allocated on an annual basis in the Department of
163 Transportation's work program to each department district,
164 except the Turnpike District. The amount allocated to each
165 district shall be based on the amount of proceeds attributed to
166 the counties within each respective district.

167 (5) (a)~~(4)~~ Except as provided in this section, the
168 department shall administer, collect, and enforce the surcharge
169 as provided in this chapter.

170 (b)~~(a)~~ The department shall require a dealer ~~dealers~~ to
171 report surcharge collections according to the county to which
172 the surcharge was attributed. For purposes of this section, the
173 surcharge shall be attributed to the county where the rental
174 agreement was entered into.

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175 (c) ~~(b)~~ A dealer ~~Dealers~~ who collects ~~collect~~ the rental car
176 surcharge shall report to the department all surcharge revenues
177 attributed to the county where the rental agreement was entered
178 into on a timely filed return for each required reporting
179 period. The provisions of this chapter which apply to interest
180 and penalties on delinquent taxes apply to the surcharge. The
181 surcharge shall not be included in the calculation of estimated
182 taxes pursuant to s. 212.11. The dealer's credit provided in s.
183 212.12 does not apply to any amount collected under this
184 section.

185 (6) ~~(5)~~ The surcharge imposed by this section does not apply
186 to a motor vehicle provided at no charge to a person whose motor
187 vehicle is being repaired, adjusted, or serviced by the entity
188 providing the replacement motor vehicle.

189 Section 2. Section 627.747, Florida Statutes, is created to
190 read:

191 627.747 Peer-to-peer vehicle-sharing program.-

192 (1) DEFINITIONS.-As used in this section, the term:

193 (a) "Peer-to-peer vehicle" or "vehicle" means a vehicle
194 made available for sharing through a peer-to-peer vehicle-
195 sharing program, used nonexclusively for peer-to-peer vehicle
196 sharing, and used by the peer-to-peer vehicle owner for personal
197 use outside of peer-to-peer vehicle sharing.

198 (b) "Peer-to-peer vehicle delivery period" or "delivery
199 period" means the period of time during which a peer-to-peer
200 vehicle is being delivered to the location where the peer-to-
201 peer vehicle-sharing start time commences, if applicable, as
202 documented by the governing peer-to-peer vehicle-sharing program
203 agreement.

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204 (c) "Peer-to-peer vehicle driver" or "driver" means an
205 individual who has been authorized to drive the peer-to-peer
206 vehicle by the peer-to-peer vehicle owner under a peer-to-peer
207 vehicle-sharing program agreement.

208 (d) "Peer-to-peer vehicle owner" or "owner" means the
209 registered owner of a peer-to-peer vehicle made available for
210 sharing to peer-to-peer vehicle drivers through a peer-to-peer
211 vehicle-sharing program.

212 (e) "Peer-to-peer vehicle sharing" or "sharing" means the
213 authorized use of a peer-to-peer vehicle by an individual other
214 than the peer-to-peer vehicle owner through a peer-to-peer
215 vehicle-sharing program.

216 (f) "Peer-to-peer vehicle-sharing agreement" or "agreement"
217 means the terms and conditions applicable to a peer-to-peer
218 vehicle owner and a peer-to-peer vehicle driver which govern the
219 use of a peer-to-peer vehicle through a peer-to-peer vehicle-
220 sharing program.

221 (g) "Peer-to-peer vehicle-sharing period" or "sharing
222 period" means the period of time that commences with the peer-
223 to-peer vehicle delivery period or, if there is no peer-to-peer
224 vehicle delivery period, that commences with the peer-to-peer
225 vehicle-sharing start time and in either case ends at the peer-
226 to-peer vehicle-sharing termination time.

227 (h) "Peer-to-peer vehicle-sharing program" or "program"
228 means a business platform that connects peer-to-peer vehicle
229 owners with peer-to-peer vehicle drivers to enable the sharing
230 of peer-to-peer vehicles for financial consideration.

231 (i) "Peer-to-peer vehicle-sharing start time" or "start
232 time" means the time when the peer-to-peer vehicle becomes

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233 subject to the control of the peer-to-peer vehicle driver at or
234 after the time the reservation of a peer-to-peer vehicle is
235 scheduled to begin, as documented in the records of a peer-to-
236 peer vehicle-sharing program.

237 (j) "Peer-to-peer vehicle-sharing termination time" or
238 "termination time" means the earliest of the following events:

239 1. The expiration of the agreed-upon period of time
240 established for the use of a peer-to-peer vehicle according to
241 the terms of the vehicle-sharing program agreement, if the peer-
242 to-peer vehicle is delivered to the location agreed upon in the
243 peer-to-peer vehicle-sharing program agreement;

244 2. The expiration of the time period established for use of
245 the peer-to-peer vehicle when the peer-to-peer vehicle is
246 returned to an alternate location agreed upon by the peer-to-
247 peer vehicle owner and the peer-to-peer vehicle driver as
248 communicated through a peer-to-peer vehicle-sharing program; or

249 3. The peer-to-peer vehicle owner or the owner's authorized
250 designee takes possession and control of the peer-to-peer
251 vehicle.

252 (2) FINANCIAL RESPONSIBILITY.—

253 (a) A peer-to-peer vehicle-sharing program shall assume the
254 liability of a peer-to-peer vehicle owner, except as provided in
255 paragraph (b), for bodily injury or property damage to third
256 parties or uninsured and underinsured motorist or personal
257 injury protection losses during the peer-to-peer vehicle-sharing
258 period in an amount stated in the peer-to-peer vehicle-sharing
259 program.

260 (b) The assumption of liability under paragraph (a) does
261 not apply to any peer-to-peer vehicle owner when:

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262 1. A peer-to-peer vehicle owner makes an intentional or
263 fraudulent material misrepresentation or omission to the peer-
264 to-peer vehicle-sharing program before the peer-to-peer vehicle-
265 sharing period in which the loss occurred; or

266 2. A peer-to-peer vehicle owner acts in concert with a
267 peer-to-peer vehicle driver who fails to return the vehicle
268 pursuant to the terms of the peer-to-peer vehicle-sharing
269 program agreement.

270 (c) The assumption of liability under paragraph (a) applies
271 to bodily injury and property damage losses by damaged third
272 parties as required under s. 324.021(7).

273 (d) A peer-to-peer vehicle-sharing program shall ensure
274 that, during each peer-to-peer vehicle-sharing period, the peer-
275 to-peer vehicle owner and the peer-to-peer vehicle driver are
276 insured under a motor vehicle liability insurance policy that
277 provides insurance coverage in amounts no less than the minimum
278 amounts provided in s. 324.021(7), and:

279 1. Recognizes that the peer-to-peer vehicle insured under
280 the policy is made available and used through a peer-to-peer
281 vehicle-sharing program; or

282 2. Does not exclude use of a peer-to-peer vehicle by a
283 peer-to-peer vehicle driver.

284 (e) The insurance requirement under paragraph (d) may be
285 satisfied by motor vehicle liability insurance maintained by a
286 peer-to-peer vehicle owner; a peer-to-peer vehicle driver; a
287 peer-to-peer vehicle-sharing program; or by a peer-to-peer
288 vehicle owner, a peer-to-peer vehicle driver, and a peer-to-peer
289 vehicle-sharing program.

290 (f) The insurance maintained under paragraph (e) which

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291 satisfies the insurance requirement under paragraph (d) must be
292 primary during each peer-to-peer vehicle-sharing period.

293 (g) The peer-to-peer vehicle-sharing program must assume
294 primary liability for a claim when it is providing, in whole or
295 in part, the insurance required under paragraphs (d) and (e)
296 and:

297 1. A dispute exists as to who was in control of the peer-
298 to-peer vehicle at the time of the loss; and

299 2. The peer-to-peer vehicle-sharing program does not have
300 available, did not retain, or fails to provide the information
301 required in paragraph (11) (c).

302 (h) The peer-to-peer vehicle owner's insurer shall
303 indemnify the peer-to-peer vehicle-sharing program to the extent
304 of the insurer's obligation, if any, under the applicable
305 insurance policy, if it is determined that the peer-to-peer
306 vehicle owner was in control of the peer-to-peer vehicle at the
307 time of the loss.

308 (i) If insurance maintained by a peer-to-peer vehicle owner
309 or peer-to-peer vehicle driver in accordance with paragraph (e)
310 lapses or does not provide the required coverage, insurance
311 maintained by a peer-to-peer vehicle-sharing program shall
312 provide the coverage required by paragraph (d) beginning with
313 the first dollar of a claim and the insurer has the duty to
314 defend such claim except under circumstances specified in
315 paragraph (b).

316 (j) Coverage under a motor vehicle insurance policy
317 maintained by the peer-to-peer vehicle-sharing program may not
318 be dependent on another motor vehicle insurer first denying a
319 claim.

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320 (k) This subsection does not:

321 1. Limit the liability of the peer-to-peer vehicle-sharing
322 program for any act or omission of the program itself which
323 results in injury to any person as a result of the use of a
324 peer-to-peer vehicle through the peer-to-peer vehicle-sharing
325 program; or

326 2. Limit the ability of the peer-to-peer vehicle-sharing
327 program to seek indemnification, by contract, from the peer-to-
328 peer vehicle owner or the peer-to-peer vehicle driver for
329 economic losses the peer-to-peer vehicle-sharing program
330 sustains which result from a breach of the terms and conditions
331 of the peer-to-peer vehicle-sharing program agreement.

332 (3) NOTIFICATION OF IMPLICATIONS OF A LIEN.—At the time a
333 peer-to-peer vehicle owner registers a vehicle for use through a
334 peer-to-peer vehicle-sharing program and before the owner makes
335 the vehicle available for use through the program, the program
336 must notify the owner that, if the vehicle has a lien against
337 it, the use of the vehicle through the program, including use
338 without physical damage coverage, may violate the terms of the
339 contract with the lienholder.

340 (4) EXCLUSIONS IN MOTOR VEHICLE LIABILITY INSURANCE
341 POLICIES.—

342 (a) An authorized insurer that writes motor vehicle
343 liability insurance in this state may exclude any coverage and
344 the duty to defend or indemnify for any claim under the peer-to-
345 peer vehicle owner's motor vehicle liability insurance policy,
346 including, but not limited to:

347 1. Liability coverage for bodily injury and property
348 damage;

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349 2. Personal injury protection coverage;

350 3. Uninsured and underinsured motorist coverage;

351 4. Medical payments coverage;

352 5. Comprehensive physical damage coverage; and

353 6. Collision physical damage coverage.

354 (b) This subsection does not invalidate or limit an
355 exclusion contained in a motor vehicle liability insurance
356 policy, including any insurance policy in use or approved for
357 use which excludes coverage for motor vehicles made available
358 for rent, hire, or for any business use, including peer-to-peer
359 vehicle sharing.

360 (5) RECORDKEEPING.—

361 (a) A peer-to-peer vehicle-sharing program must collect and
362 verify records pertaining to the use of peer-to-peer vehicles,
363 including, but not limited to, times used, fees paid by the
364 peer-to-peer vehicle driver, and revenues received by the peer-
365 to-peer vehicle owner.

366 (b) Pursuant to all applicable federal and state privacy
367 obligations, and after receiving the informed consent of the
368 peer-to-peer vehicle owner and the peer-to-peer vehicle driver,
369 a peer-to-peer vehicle-sharing program must provide the
370 information collected pursuant to paragraph (a), upon request,
371 to the owner, the owner's insurer, and the driver's insurer to
372 facilitate a claim investigation.

373 (c) The program must retain the records required in this
374 subsection for not less than 3 years.

375 (6) CONTRIBUTION AGAINST INDEMNIFICATION.—A motor vehicle
376 insurer that defends or indemnifies a claim arising from the
377 operation of a peer-to-peer vehicle that is excluded under the

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378 terms of its policy may seek contribution against the peer-to-
379 peer vehicle-sharing program if the claim is made against the
380 peer-to-peer vehicle owner or the peer-to-peer vehicle driver
381 for loss or injury that occurs during the peer-to-peer vehicle-
382 sharing period.

383 (7) INSURABLE INTEREST.—

384 (a) A peer-to-peer vehicle-sharing program has an insurable
385 interest in a vehicle during the sharing period.

386 (b) This subsection does not impose liability on a peer-to-
387 peer vehicle-sharing program to maintain the coverage mandated
388 by subsection (2).

389 (c) A peer-to-peer vehicle-sharing program may own and
390 maintain as the named insured one or more policies of motor
391 vehicle liability insurance which provide coverage for:

- 392 1. Liabilities assumed by the peer-to-peer vehicle-sharing
393 program under agreement;
394 2. Liability of the peer-to-peer vehicle owner;
395 3. Damage or loss to the vehicle; or
396 4. Liability of the peer-to-peer vehicle driver.

397 (8) CONSUMER PROTECTIONS.—

398 (a) Each peer-to-peer vehicle-sharing program agreement
399 made in this state must disclose to the peer-to-peer vehicle
400 owner and the peer-to-peer vehicle driver:

401 1. Any right of a program to seek indemnification from the
402 owner or the driver for economic losses the program sustains
403 which result from a breach of the terms and conditions of the
404 agreement;

405 2. That a motor vehicle liability insurance policy issued
406 to the owner for the peer-to-peer vehicle or to the driver does

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407 not provide defense indemnity for any claim asserted by the
408 program;

409 3. That the program's financial responsibility afforded to
410 the owner and driver is available only during the peer-to-peer
411 vehicle-sharing period;

412 4. That, for any use of the peer-to-peer vehicle by the
413 driver after the peer-to-peer vehicle-sharing termination time,
414 the driver and owner may not have coverage;

415 5. The daily rate, fees, costs, and, if applicable, any
416 insurance or protection package costs that are charged to the
417 owner or driver; and

418 6. That the peer-to-peer vehicle owner's motor vehicle
419 liability insurance may not provide coverage for the vehicle.

420 (b) Each peer-to-peer vehicle-sharing program agreement
421 made in this state must disclose to the peer-to-peer vehicle
422 driver:

423 1. An emergency telephone number to contact personnel
424 capable of fielding roadside assistance requests and other
425 customer service inquiries; and

426 2. Any conditions under which a driver must maintain a
427 personal motor vehicle insurance policy, and any required
428 coverage limits, on a primary basis in order to rent the peer-
429 to-peer vehicle.

430 (9) RESPONSIBILITY FOR EQUIPMENT.—The peer-to-peer vehicle-
431 sharing program has sole responsibility for any equipment that
432 is put in or on the vehicle, such as a GPS system or other
433 device, used to monitor or facilitate the sharing, and must
434 agree to indemnify and hold harmless the owner for any damage to
435 or theft of such equipment during the sharing period which is

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436 not caused by the owner. The program may seek indemnity from the
437 driver for any loss or damage to such equipment which occurs
438 during the sharing period.

439 (10) AUTOMOBILE SAFETY RECALLS.-

440 (a) At the time an owner registers a vehicle for use in the
441 program, and before the owner makes the vehicle available for
442 use, the peer-to-peer vehicle-sharing program must:

443 1. Verify that the vehicle does not have any safety recalls
444 for which repairs have not been made; and

445 2. Notify the owner of the requirements under paragraph
446 (c).

447 (b) The program must periodically, at least once in each
448 72-hour period, verify that any vehicle available for use
449 through the program is not subject to an open safety recall for
450 which repairs have not been made.

451 (c) If the peer-to-peer vehicle owner has received notice
452 of a safety recall on the vehicle, he or she may not make the
453 vehicle available for use through a peer-to-peer vehicle-sharing
454 program until the safety recall repair has been made. Upon
455 receiving notice of a safety recall on the vehicle when it is
456 available for use through the program, the owner shall remove
457 the vehicle from availability as soon as practicable, but in no
458 case more than 48 hours after receiving the notice of the safety
459 recall, and until the safety recall repair has been made. Upon
460 receiving notice of a safety recall on the vehicle, and in no
461 case more than 48 hours after such receipt, when such vehicle is
462 in the possession of the driver, the owner must notify the
463 program of the safety recall so that the program may notify the
464 driver and the vehicle can be removed from use until the owner

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465 effects the necessary safety recall repair.

466 (11) DRIVER LICENSE VERIFICATION AND RETENTION.-

467 (a) A peer-to-peer vehicle-sharing program may not enter
468 into a peer-to-peer vehicle-sharing program agreement with a
469 driver unless the driver who will operate the peer-to-peer
470 vehicle:

471 1. Holds an unexpired driver license in this state which
472 authorizes the driver to operate vehicles of the class of the
473 peer-to-peer vehicle; or

474 2. Is a nonresident who:

475 a. Has an unexpired driver license issued by the state or
476 country of the driver's residence which authorizes the driver in
477 that state or country to drive vehicles of the class of the
478 peer-to-peer vehicle; and

479 b. Is at least the same age as that required of a resident
480 to drive.

481 (b) A peer-to-peer vehicle-sharing program may not rent a
482 motor vehicle to another until the driver license of the peer-
483 to-peer vehicle driver has been inspected and the program has
484 verified that the driver license is unexpired.

485 (c) A peer-to-peer vehicle-sharing program must keep a
486 record of:

487 1. The registration number of the peer-to-peer vehicle;

488 2. The name and address of the peer-to-peer vehicle driver;

489 3. The driver license number of the peer-to-peer vehicle
490 driver and the place where the license was issued; and

491 4. Each other person, if any, who will operate the peer-to-
492 peer vehicle.

493 (d) Such record must be open to inspection by any police

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494 officer, or officer or employee of the Department of Law
495 Enforcement.

496 (e) If a peer-to-peer vehicle-sharing program rents a peer-
497 to-peer vehicle to a driver through digital, electronic, or
498 other means that allow the driver to obtain possession of the
499 vehicle without direct contact with an agent, an employee of the
500 peer-to-peer vehicle-sharing program, or the vehicle owner, or
501 if the driver does not execute a peer-to-peer vehicle-sharing
502 program agreement at the time he or she takes possession of the
503 vehicle, the peer-to-peer vehicle-sharing program is deemed to
504 have met all requirements of paragraphs (a) and (b) when the
505 program, at the time the driver enrolls in a membership program,
506 master agreement, or other means of establishing use of the
507 program's services, or any time thereafter, requires the driver
508 to verify that he or she is duly licensed and that the license
509 is unexpired.

510 Section 3. This act shall take effect July 1, 2020.