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PREPARED FOR
SENATE COMMITTEE ON
FINANCIAL INSTITUTIONS AND INSURANCE

Peer to Peer Vehicle Sharing Act

Section Number	Location in the bill	Provision Summary	Key Points
1	Page 1	Citation of act	Sections 1 through 14 shall be known and may be cited as the peer-to-peer vehicle sharing program act.
2	Page 1	Definitions	All definitions are important – "shared vehicle" shared vehicle owner" and "shared vehicle driver"
3	Page 2	Insurance	With certain exceptions, during the vehicle sharing period, the peer-to-peer vehicle sharing program assumes liability of a shared vehicle owner for bodily injury or property damage to third parties for uninsured and under insured motorist or personal injury protection losses The peer-to-peer vehicle sharing program is required to verify during each vehicle sharing period that the shared vehicle owner and the shared vehicle driver are insured under a motor vehicle liability insurance policy that meets at least statutory minimum coverage requirements
4	Pages 3-4	Consumer Disclosures	Notification to the shared vehicle owner by the program that if the shared vehicle has a lien against it, use of the vehicle through a peer-to-peer vehicle sharing program could violate the terms of the contract with the lienholder.
5	Page 4	Insurance – exclusion in motor vehicle liability insurance policy	Insurers may exclude coverage and the duty to defend or indemnify any claim afforded under a shared vehicle owner's motor vehicle liability insurance policy.
6	Page 4	Record keeping	A peer-to-peer vehicle sharing program shall collect and verify records and retain them for a period not less than 2 years.
7	Page 4	Exemption from vicarious liability	A shared vehicle owner and a peer-to-peer vehicle sharing program shall be exempt from vicarious liability claims that are solely based on vehicle ownership.
8	Page 4	Contribution against indemnification	A motor vehicle insurer that defends or indemnifies a claim against a shared vehicle that is excluded under the terms of its policy shall of the right to seek contribution against the motor vehicle insurer of the peer-to-peer vehicle sharing program if the claim is made against the shared vehicle owner or the shared vehicle driver for loss or injury that occurs during the vehicle sharing period.

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9	Page 4-5	Insurable interest	A peer-to-peer vehicle sharing program shall have an insurable interest in a shared vehicle during the vehicle sharing period.
10	Page 5	Disclosures	<p>(2) A motor vehicle liability insurance policy issued to the shared vehicle owner for the shared vehicle or to the shared vehicle driver does not provide a defense or indemnification for any claim asserted by the peer-to-peer vehicle sharing program.</p> <p>(3) The peer-to-peer vehicle sharing program's insurance coverage on the shared vehicle owner and the shared vehicle driver is in effect only during each vehicle sharing period and that, for any use of the shared vehicle by the shared vehicle driver after the vehicle sharing termination time, the shared vehicle driver and the shared vehicle owner may not have insurance coverage.</p>
11	Page 6	Driver's license verification and data retention	A peer-to-peer vehicle sharing program shall not enter into a peer-to-peer vehicle sharing program agreement with a driver unless: (1) The driver who will operate the vehicle holds a Kansas DL that authorizes the driver to operate vehicles of the class of the shared vehicle; or (2) Is a nonresident who has a driver's license issued by the driver's home state or country and is at least the legal age required to drive in the state of Kansas.
12	Page 6	Responsibility for equipment	A peer-to-peer vehicle sharing program shall have sole responsibility for any equipment, such as a GPS system or other special equipment that is put in or on the vehicle to monitor or facilitate the vehicle sharing transaction, and shall agree to indemnify and hold harmless the vehicle owner for any damage to or theft of such equipment during the sharing period not caused by the vehicle owner.
13	Page 6-7	Auto safety recalls	Requires that the peer-to-peer vehicle sharing program verify that the shared vehicle does not have any outstanding safety recalls requiring repair and addresses situations where safety recalls arise.
14	Page 7	Airport	Upon the request of an airport, a peer-to-peer vehicle sharing program OR motor vehicle rental company enter into an agreement setting forth procedures, fees, access requirements, etc., prior to doing business at the airport.