

HOUSE No. 944

The Commonwealth of Massachusetts

PRESENTED BY:

Mark J. Cusack

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to personal vehicle sharing.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Mark J. Cusack</i>	<i>5th Norfolk</i>	<i>1/18/2019</i>

HOUSE No. 944

By Mr. Cusack of Braintree, a petition (accompanied by bill, House, No. 944) of Mark J. Cusack relative to personal vehicle sharing. Financial Services.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-First General Court
(2019-2020)

An Act relative to personal vehicle sharing.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Subsection (a) of section 168 of chapter 175 of the General Laws, as
2 appearing in the 2016 Official Edition, is hereby amended by adding the following definitions:-

3 “Personal vehicle sharing”, the authorized use of a vehicle by an individual other than the
4 vehicle’s owner through a personal vehicle sharing program.

5 “Personal vehicle sharing program”, a business platform that connects vehicle owners
6 with drivers to enable the sharing of vehicles for financial consideration.

7 Said section 168, as so appearing, is further amended by striking out subsection (b) in
8 lines 18-27 and inserting in place thereof the following subsection:-

9 “(b) The commissioner may, upon the payment of the fee prescribed by section 14, issue
10 to any suitable person aged 18 or older, a license to act as a special insurance broker to negotiate,
11 continue or renew contracts of insurance against any of the hazards specified in section 47,
12 except as specified in clause Fifteenth thereof, and except accident and health, workers'

13 compensation, compulsory motor vehicle liability, with the exception of both motor vehicle
14 policies for transportation network vehicles and any contracts that directly or indirectly provide
15 insurance or other forms of protection, including without limitation, collision damage waivers,
16 for vehicles and vehicle drivers engaged in personal vehicle sharing through a personal vehicle
17 sharing program, and life insurance on property or interests in the commonwealth with an
18 unauthorized company upon the following conditions:”

19 Said section 168, as so appearing, is further amended by striking out subsection (i) in
20 lines 198-199 and inserting in place thereof the following subsections:-

21 “(i) Nothing in this section shall preclude a personal vehicle sharing program from
22 procuring a contract of insurance for itself, vehicles, and vehicle drivers engaged in personal
23 vehicle sharing, if the personal vehicle sharing program or the policyholder expressly
24 acknowledges its understanding, that (1) the company from which insurance is procured is not
25 admitted to transact insurance in the commonwealth and (2) in the event of the insolvency of the
26 company, a loss shall not be paid by the Massachusetts Insurers Insolvency Fund under chapter
27 175D.

28 (j) The commissioner may promulgate regulations as necessary to implement this
29 section.”