

By: Senator(s) Michel, McLendon, Sparks,  
Boyd

To: Insurance; Judiciary,  
Division A

SENATE BILL NO. 2530  
(As Passed the Senate)

1 AN ACT TO CREATE THE PEER-TO-PEER CAR SHARING PROGRAM ACT; TO  
2 AUTHORIZE VEHICLE OWNERS AND DRIVERS TO USE A BUSINESS PLATFORM  
3 FOR THE SHARING OF VEHICLES FOR FINANCIAL CONSIDERATION; TO  
4 PROVIDE FOR DEFINITIONS RELATED TO THE ACT; TO PROVIDE THAT A  
5 PEER-TO-PEER CAR SHARING PROGRAM SHALL ASSUME LIABILITY OF A  
6 SHARED VEHICLE OWNER FOR CERTAIN INJURIES OR DAMAGE WITH CERTAIN  
7 EXCEPTIONS; TO REQUIRE CERTAIN NOTIFICATIONS TO SHARED VEHICLE  
8 OWNERS ABOUT THE USE OF THEIR VEHICLE; TO PROVIDE THAT AN  
9 AUTHORIZED MOTOR VEHICLE LIABILITY INSURER MAY EXCLUDE CERTAIN  
10 COVERAGE IN SHARED VEHICLE OWNERS' INSURANCE POLICIES; TO REQUIRE  
11 A PEER-TO-PEER CAR SHARING PROGRAM TO COLLECT AND VERIFY RECORDS  
12 PERTAINING TO THE USE OF A SHARED VEHICLE; TO EXEMPT A  
13 PEER-TO-PEER CAR SHARING PROGRAM AND A SHARED VEHICLE OWNER FROM  
14 VICARIOUS LIABILITY; TO PROVIDE THAT AN AUTHORIZED MOTOR VEHICLE  
15 LIABILITY INSURER MAY HAVE CERTAIN INDEMNITY RIGHTS; TO PROVIDE  
16 THAT A PEER-TO-PEER CAR SHARING PROGRAM SHALL HAVE AN INSURABLE  
17 INTEREST IN A SHARED VEHICLE DURING THE CAR SHARING PERIOD; TO  
18 REQUIRE A CAR SHARING PROGRAM AGREEMENT TO HAVE CERTAIN CONSUMER  
19 PROTECTION DISCLOSURES; TO REQUIRE A PEER-TO-PEER CAR SHARING  
20 PROGRAM TO VERIFY DRIVER'S LICENSES; TO PROVIDE FOR SPECIFIC  
21 PROCEDURES REQUIRED OF PEER-TO-PEER CAR SHARING PROGRAMS IN  
22 REGARDS TO AUTOMOBILE SAFETY RECALLS; TO PROVIDE THAT THE  
23 COMMISSIONER OF INSURANCE SHALL HAVE THE AUTHORITY TO PROMULGATE  
24 RULES AND REGULATIONS THAT ARE NECESSARY TO ADMINISTER AND ENFORCE  
25 THE PROVISIONS OF THIS ACT PROVIDED THAT SUCH RULES AND  
26 REGULATIONS ARE NOT INCONSISTENT WITH THE PROVISIONS OF THIS ACT;  
27 TO AMEND SECTIONS 27-19-40, 63-1-67, 77-8-1 AND 27-17-35,  
28 MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS  
29 ACT; AND FOR RELATED PURPOSES.

30 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:



31           **SECTION 1. Title.** This chapter may be cited as the  
32 Peer-to-Peer Car Sharing Program Act.

33           **SECTION 2. Definitions.** For purposes of this chapter,  
34 unless the context requires otherwise, the following terms shall  
35 have the meanings ascribed herein:

36           (a) "Car Sharing Delivery Period" means the period of  
37 time during which a shared vehicle is being delivered to the  
38 location of the car sharing start time, if applicable, as  
39 documented by the governing car sharing program agreement.

40           (b) "Car Sharing Period" means the period of time that  
41 commences with the car sharing delivery period or, if there is no  
42 car sharing delivery period, the period of time that commences  
43 with the car sharing start time and in either case ends at the car  
44 sharing termination time.

45           (c) "Car Sharing Program Agreement" means the terms and  
46 conditions applicable to a shared vehicle owner and a shared  
47 vehicle driver that governs the use of a shared vehicle through a  
48 peer-to-peer car sharing program.

49           (d) "Car Sharing Start Time" means the time when the  
50 shared vehicle becomes subject to the control of the shared  
51 vehicle driver at or after the time the reservation of a shared  
52 vehicle is scheduled to begin as documented in the records of a  
53 peer-to-peer car sharing program.

54           (e) "Car Sharing Termination Time" means the earliest  
55 of the following events:



56 (i) The expiration of the agreed upon period of  
57 time established for the use of a shared vehicle according to the  
58 terms of the car sharing program agreement if the shared vehicle  
59 is delivered to the location agreed upon in the car sharing  
60 program agreement;

61 (ii) When the shared vehicle is returned to a  
62 location as alternatively agreed upon by the shared vehicle owner  
63 and shared vehicle driver as communicated through a peer-to-peer  
64 car sharing program, which alternatively agreed upon location  
65 shall be incorporated into the car sharing program agreement; or

66 (iii) When the shared vehicle owner or the shared  
67 vehicle owner's authorized designee, takes possession and control  
68 of the shared vehicle.

69 (f) "Peer-to-Peer Car Sharing" means the authorized use  
70 of a vehicle by an individual other than the vehicle's owner  
71 through a peer-to-peer car sharing program. This term shall not  
72 be construed to mean rental car or rental activity.

73 (g) "Peer-to-Peer Car Sharing Program" means a business  
74 platform that connects vehicle owners with drivers to enable the  
75 sharing of vehicles for financial consideration. This term shall  
76 not mean rental car company. An individual or business entity  
77 lawfully engaging in a peer-to-peer car sharing program shall not  
78 be considered as any of the following:

79 (i) As a "rental company" as that term is defined  
80 in Section 27-19-40(4);



81 (ii) As being engaged in renting a motor vehicle  
82 to another within the meaning of Section 63-1-67; or

83 (iii) As a "transportation network company" as  
84 that term is defined in Section 77-8-1.

85 (h) "Shared Vehicle" means a vehicle that is available  
86 for sharing through a peer-to-peer car sharing program.

87 (i) "Shared Vehicle Driver" means an individual who has  
88 been authorized to drive the shared vehicle by the shared vehicle  
89 owner under a car sharing program agreement.

90 (j) "Shared Vehicle Owner" means the registered owner,  
91 or a person or entity designated by the registered owner, of a  
92 vehicle made available for sharing to shared vehicle drivers  
93 through a peer-to-peer car sharing program. A shared vehicle  
94 owner shall not mean a person "renting a motor vehicle to another"  
95 as that activity is described in Section 63-1-67.

96 **SECTION 3. Insurance coverage during car sharing period.**

97 (1) Except as provided in subsection (2) of this section, a  
98 peer-to-peer car sharing program shall assume liability of a  
99 shared vehicle owner for bodily injury or property damage to third  
100 parties, or uninsured and underinsured motorist losses, during the  
101 car sharing period in an amount stated in the peer-to-peer car  
102 sharing program agreement, provided that the amount shall not be  
103 less than that set forth in Section 63-15-43.

104 (2) Notwithstanding the definition of "car sharing  
105 termination time" as set forth in this act, the assumption of



106 liability under subsection (1) of this section shall not apply to  
107 any shared vehicle owner when:

108 (a) A shared vehicle owner makes an intentional or  
109 fraudulent material misrepresentation or omission to the  
110 peer-to-peer car sharing program before the car sharing period in  
111 which the loss occurred; or

112 (b) Acting in concert with a shared vehicle driver who  
113 fails to return the shared vehicle pursuant to the terms of the  
114 car sharing program agreement.

115 (3) Notwithstanding the definition of "car sharing  
116 termination time" as set forth in this act, the assumption of  
117 liability under subsection (1) of this section shall include any  
118 bodily injury or property damage losses by damaged third parties,  
119 or uninsured and underinsured motorist losses, as required by  
120 Sections 63-15-1 et seq.

121 (4) A peer-to-peer car sharing program shall ensure that,  
122 during each car sharing period, the shared vehicle owner and the  
123 shared vehicle driver are insured under a motor vehicle liability  
124 insurance policy that provides insurance coverage in amounts no  
125 less than the minimum amounts set forth in Section 63-15-43; and

126 (a) Recognizes that the shared vehicle insured under  
127 the policy is made available and used through a peer-to-peer car  
128 sharing program; or

129 (b) Does not exclude use of a shared vehicle by a  
130 shared vehicle driver.



131 (5) The insurance described under subsection (4) of this  
132 section may be satisfied by motor vehicle liability insurance  
133 maintained by:

- 134 (a) A shared vehicle owner;
- 135 (b) A shared vehicle driver;
- 136 (c) A peer-to-peer car sharing program; or
- 137 (d) Both a shared vehicle owner, a shared vehicle  
138 driver and a peer-to-peer car sharing program.

139 (6) The insurance described in subsection (5) of this  
140 section that is satisfying the insurance requirement of subsection  
141 (4) of this section shall be primary during each car sharing  
142 period, and in the event that a claim occurs in another state with  
143 minimum financial responsibility limits higher than the minimum  
144 amounts set forth in Section 63-15-43, during the car sharing  
145 period, the coverage maintained under subsection (5) shall satisfy  
146 the difference in minimum coverage amounts, up to the applicable  
147 policy limits.

148 (7) The insurer, insurers or peer-to-peer car sharing  
149 program providing coverage under subsections (4) or (5) of this  
150 section shall assume primary liability for a claim when:

- 151 (a) A dispute exists as to who was in control of the  
152 shared motor vehicle at the time of the loss and the peer-to-peer  
153 car sharing program does not have available, did not retain or  
154 fails to provide the information required by Section 8 of this  
155 act; or



156 (b) A dispute exists as to whether the shared vehicle  
157 was returned to the alternatively agreed upon location.

158 (8) If insurance maintained by a shared vehicle owner or  
159 shared vehicle driver in accordance with subsection (5) of this  
160 section has lapsed or does not provide the required coverage,  
161 insurance maintained by a peer-to-peer car sharing program shall  
162 provide the coverage required by subsection (4) of this section  
163 beginning with the first dollar of a claim and have the duty to  
164 defend such claim except under circumstances as set forth in  
165 subsection (2) of this section.

166 (9) Coverage under an automobile insurance policy maintained  
167 by the peer-to-peer car sharing program shall not be dependent on  
168 another automobile insurer first denying a claim nor shall another  
169 automobile insurance policy be required to first deny a claim.

170 (10) Nothing in this act:

171 (a) Limits the liability of the peer-to-peer car  
172 sharing program for any act or omission of the peer-to-peer car  
173 sharing program itself that results in injury to any person as a  
174 result of the use of a shared vehicle through a peer-to-peer car  
175 sharing program; or

176 (b) Limits the ability of the peer-to-peer car sharing  
177 program to, by contract, seek indemnification from the shared  
178 vehicle owner or the shared vehicle driver for economic loss  
179 sustained by the peer-to-peer car sharing program resulting from a



180 breach of the terms and conditions of the car sharing program  
181 agreement.

182       **SECTION 4. Notification of Implications of Lien.** At the  
183 time when a vehicle owner registers as a shared vehicle owner on a  
184 peer-to-peer car sharing program and prior to the time when the  
185 shared vehicle owner makes a shared vehicle available for car  
186 sharing on the peer-to-peer car sharing program, the peer-to-peer  
187 car sharing program shall notify the shared vehicle owner that, if  
188 the shared vehicle has a lien against it, the use of the shared  
189 vehicle through a peer-to-peer car sharing program, including use  
190 without physical damage coverage, may violate the terms of the  
191 contract with the lienholder.

192       **SECTION 5. Exclusions in motor vehicle liability insurance**  
193 **policies.** (1) An authorized insurer that writes motor vehicle  
194 liability insurance in the state may exclude any and all coverage  
195 and the duty to defend or indemnify for any claim afforded under a  
196 shared vehicle owner's motor vehicle liability insurance policy,  
197 including, but not limited to:

198           (a) Liability coverage for bodily injury and property  
199 damage;

200           (b) Uninsured and underinsured motorist coverage;

201           (c) Medical payments coverage;

202           (d) Comprehensive physical damage coverage; and

203           (e) Collision physical damage coverage.

204       (2) Nothing in this act:





205 (a) Invalidates or limits an exclusion contained in a  
206 motor vehicle liability insurance policy, including any insurance  
207 policy in use or approved for use that excludes coverage for motor  
208 vehicles made available for rent, sharing or hire or for any  
209 business use;

210 (b) Invalidates, limits or restricts an insurer's  
211 ability under existing law to underwrite any insurance policy; or

212 (c) Invalidates, limits or restricts an insurer's  
213 ability under existing law to cancel and nonrenew policies.

214 **SECTION 6. Recordkeeping; use of vehicle in car sharing.**

215 A peer-to-peer car sharing program shall collect and verify  
216 records pertaining to the use of a vehicle, including, but not  
217 limited to, times used, car sharing period pick-up and drop-off  
218 locations, fees paid by the shared vehicle driver and revenues  
219 received by the shared vehicle owner and provide that information  
220 upon request to the shared vehicle owner, the shared vehicle  
221 owner's insurer or the shared vehicle driver's insurer to  
222 facilitate a claim coverage investigation, settlement, negotiation  
223 or litigation. The peer-to-peer car sharing program shall retain  
224 the records for a time period not less than the three-year  
225 limitation under Section 15-1-49.

226 **SECTION 7. Vicarious liability.** A peer-to-peer car sharing  
227 program and a shared vehicle owner shall be exempt from vicarious  
228 liability consistent with 49 USC Section 30106 and under any state



229 or local law that imposes liability solely based on vehicle  
230 ownership.

231 **SECTION 8. Contribution against indemnification.** A motor  
232 vehicle insurer that defends or indemnifies a claim against a  
233 shared vehicle that is excluded under the terms of its policy  
234 shall have the right to seek recovery against the motor vehicle  
235 insurer of the peer-to-peer car sharing program if the claim is:  
236 (a) made against the shared vehicle owner or the shared vehicle  
237 driver for loss or injury that occurs during the car sharing  
238 period; and (b) excluded under the terms of its policy.

239 **SECTION 9. Insurable interest.** (1) Notwithstanding any  
240 other law, statute, rule or regulation to the contrary, a  
241 peer-to-peer car sharing program shall have an insurable interest  
242 in a shared vehicle during the car sharing period.

243 (2) Nothing in this section creates liability on a  
244 peer-to-peer car sharing program to maintain the coverage mandated  
245 by Section 3 of this act.

246 (3) A peer-to-peer car sharing program may own and maintain  
247 as the named insured one or more policies of motor vehicle  
248 liability insurance that provides coverage for:

249 (a) Liabilities assumed by the peer-to-peer car sharing  
250 program under a peer-to-peer car sharing program agreement;

251 (b) Any liability of the shared vehicle owner; or

252 (c) Damage or loss to the shared motor vehicle or any  
253 liability of the shared vehicle driver.



254           **SECTION 10. Consumer protection disclosures.** (1) Each car  
255 sharing program agreement made in the state shall disclose to the  
256 shared vehicle owner and the shared vehicle driver:

257           (a) Any right of the peer-to-peer car sharing program  
258 to seek indemnification from the shared vehicle owner or the  
259 shared vehicle driver for economic loss sustained by the  
260 peer-to-peer car sharing program resulting from a breach of the  
261 terms and conditions of the car sharing program agreement;

262           (b) That a motor vehicle liability insurance policy  
263 issued to the shared vehicle owner for the shared vehicle or to  
264 the shared vehicle driver does not provide a defense or  
265 indemnification for any claim asserted by the peer-to-peer car  
266 sharing program;

267           (c) That the peer-to-peer car sharing program's  
268 insurance coverage on the shared vehicle owner and the shared  
269 vehicle driver is in effect only during each car sharing period  
270 and that, for any use of the shared vehicle by the shared vehicle  
271 driver after the car sharing termination time, the shared vehicle  
272 driver and the shared vehicle owner may not have insurance  
273 coverage;

274           (d) The daily rate, fees, and if applicable, any  
275 insurance or protection package costs that are charged to the  
276 shared vehicle owner or the shared vehicle driver;

277           (e) That the shared vehicle owner's motor vehicle  
278 liability insurance may not provide coverage for a shared vehicle;



279 (f) An emergency telephone number to personnel capable  
280 of fielding roadside assistance and other customer service  
281 inquiries; and

282 (g) If there are conditions under which a shared  
283 vehicle driver must maintain a personal automobile insurance  
284 policy with certain applicable coverage limits on a primary basis  
285 in order to book a shared motor vehicle.

286 **SECTION 11. Driver's license verification and data**

287 **retention.** (1) A peer-to-peer car sharing program may not enter  
288 into a peer-to-peer car sharing program agreement with a driver  
289 unless the driver who will operate the shared vehicle:

290 (a) Holds a driver's license issued under Section  
291 63-1-5 that authorizes the driver to operate vehicles of the class  
292 of the shared vehicle; or

293 (b) Is a nonresident who:

294 (i) Has a driver's license issued by the state or  
295 country of the driver's residence that authorizes the driver in  
296 that state or country to drive vehicles of the class of the shared  
297 vehicle; and

298 (ii) Is at least the same age as that required of  
299 a resident to drive; or

300 (c) Otherwise is specifically authorized under Title  
301 63, Chapter 1, Mississippi Code of 1972 to drive vehicles of the  
302 class of the shared vehicle.



303 (2) A peer-to-peer car sharing program shall keep a record  
304 of:

305 (a) The name and address of the shared vehicle driver;

306 (b) The number of the driver's license of the shared  
307 vehicle driver and each other person, if any, who will operate the  
308 shared vehicle; and

309 (c) The place of issuance of the driver's license.

310 **SECTION 12. Responsibility for equipment.** A peer-to-peer  
311 car sharing program shall have sole responsibility for any  
312 equipment, such as a GPS system or other special equipment that is  
313 put in or on the vehicle to monitor or facilitate the car sharing  
314 transaction, and shall agree to indemnify and hold harmless the  
315 vehicle owner for any damage to or theft of such equipment during  
316 the sharing period not caused by the vehicle owner. The  
317 peer-to-peer car sharing program has the right to seek indemnity  
318 from the shared vehicle driver for any loss or damage to such  
319 equipment that occurs during the sharing period.

320 **SECTION 13. Automobile safety recalls.** (1) At the time  
321 when a vehicle owner registers as a shared vehicle owner on a  
322 peer-to-peer car sharing program and prior to the time when the  
323 shared vehicle owner makes a shared vehicle available for car  
324 sharing on the peer-to-peer car sharing program, the peer-to-peer  
325 car sharing program shall:



326 (a) Verify that the shared vehicle does not have any  
327 safety recalls on the vehicle for which the repairs have not been  
328 made; and

329 (b) Notify the shared vehicle owner of the requirements  
330 under subsection (2) of this section.

331 (2) (a) If the shared vehicle owner has received an actual  
332 notice of a safety recall on the vehicle, a shared vehicle owner  
333 shall not make a vehicle available as a shared vehicle on a  
334 peer-to-peer car sharing program until the safety recall repair  
335 has been made.

336 (b) If a shared vehicle owner receives an actual notice  
337 of a safety recall on a shared vehicle while the shared vehicle is  
338 made available on the peer-to-peer car sharing program, the shared  
339 vehicle owner shall remove the shared vehicle as available on the  
340 peer-to-peer car sharing program, as soon as practicably possible  
341 after receiving the notice of the safety recall and until the  
342 safety recall repair has been made.

343 (c) If a shared vehicle owner receives an actual notice  
344 of a safety recall while the shared vehicle is being used in the  
345 possession of a shared vehicle driver, as soon as practicably  
346 possible after receiving the notice of the safety recall, the  
347 shared vehicle owner shall notify the peer-to-peer car sharing  
348 program about the safety recall so that the shared vehicle owner  
349 may address the safety recall repair.



350           **SECTION 14. Regulations.** The Commissioner of Insurance  
351 shall have the authority to promulgate rules and regulations that  
352 are necessary to administer and enforce the provisions of this act  
353 provided that such rules and regulations are not inconsistent with  
354 the provisions of this act.

355           **SECTION 15.** Section 27-19-40, Mississippi Code of 1972, is  
356 amended as follows:

357           27-19-40. (1) A motor vehicle dealer or automobile auction  
358 may apply to the State Tax Commission for special in-transit tags  
359 or plates, which when properly displayed shall authorize the motor  
360 vehicle dealer or automobile auction to operate a motor vehicle  
361 upon the highways of this state without paying the annual highway  
362 privilege tax upon such vehicle and without attaching any other  
363 license tag or plate to such vehicle, if:

364                   (a) The movement of the motor vehicle is for the  
365 purpose of sale of such vehicle to another motor vehicle dealer or  
366 automobile auction;

367                   (b) The motor vehicle is being moved from the place of  
368 business of one motor vehicle dealer or automobile auction to the  
369 place of business of another motor vehicle dealer or automobile  
370 auction; and

371                   (c) The special in-transit tag or plate is displayed in  
372 plain view on the motor vehicle in the manner prescribed by the  
373 State Tax Commission.



374 (2) A motor vehicle dealer or automobile auction may apply  
375 for a temporary tag or plate to be used when a motor vehicle in  
376 this state is sold by the motor vehicle dealer or automobile  
377 auction to a nonresident of the State of Mississippi or when a  
378 motor vehicle is sold by a motor vehicle dealer or automobile  
379 auction to a Mississippi resident who may temporarily exit this  
380 state before obtaining a Mississippi tag or plate. Such tag or  
381 plate when properly displayed shall authorize the purchaser of  
382 such a motor vehicle to operate the motor vehicle upon the  
383 highways of this state. The temporary tag or plate shall be valid  
384 for a period of seven (7) full working days, exclusive of the date  
385 of purchase, after the date the motor vehicle is purchased;  
386 however, if the temporary tag or plate is issued to a nonresident  
387 of the State of Mississippi, the temporary tag or plate shall be  
388 valid for the number of days within which the nonresident is  
389 required to obtain a permanent motor vehicle license tag or plate  
390 by the laws of the nonresident's state of residence.

391 (3) The State Tax Commission shall issue such tags or plates  
392 to each motor vehicle dealer or automobile auction who applies for  
393 them upon payment of a fee in an amount equal to Two Dollars  
394 (\$2.00) for each in-transit tag or plate and Five Dollars (\$5.00)  
395 for each temporary tag or plate.

396 (4) Whenever a rental company acquires a vehicle from a  
397 dealer by sale or otherwise, the rental company may apply for a  
398 temporary tag or plate to be issued by the dealer. Such tag or





399 plate, when properly displayed, authorizes the rental company to  
400 operate the motor vehicle upon the highways of this state. The  
401 temporary tag or plate is valid for a period of thirty (30) full  
402 working days, exclusive of the date of delivery. Any dealer  
403 issuing a temporary tag under this subsection may collect from the  
404 purchaser requesting the issuance of the temporary tag a fee of  
405 Five Dollars (\$5.00). The penalties established under Section  
406 27-19-63, are not applicable until after the expiration of the  
407 thirty-day period under this subsection. For the purposes of this  
408 subsection, the term "rental company" means any person or entity  
409 in the business of providing primarily motor vehicles to the  
410 public under a rental agreement for a rental period not to exceed  
411 thirty (30) days, provided that any person or business entity  
412 lawfully engaging in a peer-to-peer car sharing program under the  
413 Peer-to-Peer Car Sharing Program Act shall not be considered as a  
414 rental company.

415 (5) The tags or plates authorized pursuant to this section  
416 shall be designed by the State Tax Commission. The State Tax  
417 Commission shall adopt rules and regulations necessary to  
418 implement this section, including, but not limited to, rules and  
419 regulations establishing procedures for issuing such tags or  
420 plates and for the use and display of such tags or plates. Each  
421 motor vehicle dealer or automobile auction who is issued tags or  
422 plates pursuant to this section shall keep such records as may be  
423 required by the State Tax Commission.



424 (6) Any motor vehicle dealer or automobile auction who uses  
425 a tag or plate issued pursuant to this section for a purpose that  
426 is not authorized by this section shall be guilty of a misdemeanor  
427 and, upon conviction thereof, shall be punished by a fine of One  
428 Thousand Dollars (\$1,000.00), and the use of all tags or plates  
429 issued to such motor vehicle dealer or automobile auction pursuant  
430 to this section shall be suspended for a period of one (1) year.

431 (7) As used in this section, the terms "motor vehicle  
432 dealer" and "automobile auction" shall have the meanings ascribed  
433 to such terms in Section 27-19-303, Mississippi Code of 1972.

434 **SECTION 16.** Section 63-1-67, Mississippi Code of 1972, is  
435 amended as follows:

436 63-1-67. (1) No person shall rent a motor vehicle to any  
437 other person unless the latter person is then duly licensed under  
438 the provisions of this article, or, in the case of a nonresident,  
439 then duly licensed under the laws of the state or country of his  
440 residence except a nonresident whose home state or country does  
441 not require that an operator be licensed.

442 (2) No person shall rent a motor vehicle to another until he  
443 has inspected the license of the person to whom the vehicle is to  
444 be rented and compared and verified the signature thereon with the  
445 signature of such person written in his presence.

446 (3) Every person renting a motor vehicle to another shall  
447 keep a record of the registration number of the motor vehicle so  
448 rented, the name and address of the person to whom the vehicle is



449 rented, the number of the license of said latter person and the  
450 date and place when and where said license was issued. Such  
451 record shall be open to inspection by any police officer or  
452 officers or employee of the commissioner.

453 (4) The provisions of this section shall not apply to any  
454 person or business entity lawfully engaging in a peer-to-peer car  
455 sharing program or acting as a shared vehicle owner under the  
456 Peer-to-Peer Car Sharing Program Act.

457 **SECTION 17.** Section 77-8-1, Mississippi Code of 1972, is  
458 amended as follows:

459 77-8-1. (1) As used in this chapter:

460 (a) "Personal vehicle" means a vehicle that is used by  
461 a transportation network company driver and is:

462 (i) Owned, leased or otherwise authorized for use  
463 by the transportation network company driver; and

464 (ii) Not a common carrier by motor vehicle,  
465 contract carrier by motor vehicle, or restricted motor carrier  
466 under Chapter 7, Title 77, Mississippi Code of 1972.

467 (b) "Commissioner" means the Commissioner of Insurance.

468 (c) "Department" means the Mississippi Department of  
469 Insurance.

470 (d) "Digital network" means any online-enabled  
471 technology application service, website or system offered or  
472 utilized by a transportation network company that enables the



473 prearrangement of rides with transportation network company  
474 drivers.

475 (e) "Transportation network company" means a  
476 corporation, partnership, sole proprietorship, or other entity  
477 that is licensed under this chapter and operating in Mississippi  
478 that uses a digital network to connect transportation network  
479 company riders to transportation network company drivers who  
480 provide prearranged rides. A transportation network company shall  
481 not be deemed to control, direct or manage the personal vehicles  
482 or transportation network company drivers that connect to its  
483 digital network, except where agreed to by written contract.

484 (f) "Transportation network company driver" or "driver"  
485 means an individual who:

486 (i) Receives connections to potential passengers  
487 and related services from a transportation network company in  
488 exchange for payment of a fee to the transportation network  
489 company; and

490 (ii) Uses a personal vehicle to offer or provide a  
491 prearranged ride to riders upon connection through a digital  
492 network controlled by a transportation network company in return  
493 for compensation or payment of a fee.

494 (g) "Transportation network company rider" or "rider"  
495 means an individual or persons who use a transportation network  
496 company's digital network to connect with a transportation network



497 driver who provides prearranged rides to the rider in the driver's  
498 personal vehicle between points chosen by the rider.

499 (h) "Prearranged ride" means the provision of  
500 transportation by a driver to a rider, beginning when a driver  
501 accepts a ride requested by a rider through a digital network  
502 controlled by a transportation network company, continuing while  
503 the driver transports a requesting rider, and ending when the last  
504 requesting rider departs from the personal vehicle. A prearranged  
505 ride does not include transportation provided using a common  
506 carrier by motor vehicle, contract carrier by motor vehicle, or  
507 restricted motor carrier under Chapter 7, Title 77, Mississippi  
508 Code of 1972. A prearranged ride does not include shared expense  
509 carpool arrangements or vanpooling as defined in Section 77-7-7,  
510 or any other type of arrangement or service in which the driver  
511 receives a fee that does not exceed the driver's costs associated  
512 with providing the ride.

513 (2) The provisions of this section shall not apply to any  
514 person or business entity lawfully engaging in a peer-to-peer car  
515 sharing program under the Peer-to-Peer Car Sharing Program Act.

516 **SECTION 18.** Section 27-17-35, Mississippi Code of 1972, is  
517 amended as follows:

518 27-17-35. (1) Upon each person operating a taxicab,  
519 U-drive-it, or other forms of renting motor vehicles (for the  
520 transportation of persons for hire), whether driven by the person



521 renting same, or by driver furnished by the person operating the  
522 station, for each automobile so operated, as follows:

523       In municipalities of class 1.....\$15.00  
524       In municipalities of class 2.....\$10.00  
525       In municipalities of classes 3, 4, 5, 6, 7, and elsewhere in  
526 the county.....\$ 5.00

527       (2) The provisions of this section shall not apply to any  
528 person or business entity lawfully engaging in a peer-to-peer car  
529 sharing program or acting as a shared vehicle owner under the  
530 Peer-to-Peer Car Sharing Program Act.

531       **SECTION 19.** This act shall take effect and be in force from  
532 and after 270 days from the date that the Governor signed the  
533 bill, or if the Governor did not sign the bill, then 270 days from  
534 the date the bill became law absent the Governor's signature.

