HCS HBs 974, 57, 1032 & 1141 -- INSURANCE FOR CERTAIN USES OF MOTOR
VEHICLES
SPONSOR: Murphy

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing
Committee on Insurance by a vote of 10 to 0. Voted "Do Pass" by
the Standing Committee on Rules-Administrative by a vote of 10 to
0.

The following is a summary of the House Committee Substitute for
HBs 974, 57, 1032 & 1141.

PEER-TO-PEER CAR SHARING PROGRAM INSURANCE ACT (Sections 379.1900
to 379.1970)

This bill enacts the "Peer-to-Peer Car Sharing Program Insurance
Act".

The bill requires peer-to-peer car sharing programs, as defined in
the bill, to assume liability for property damage and bodily injury
in an amount at least equal to the coverage required under the
Motor Vehicle Financial Responsibility Law, as specified in the
bill, and specifies certain requirements for insurance coverage and
the resolution of coverage disputes (Section 379.1915, RSMo).

At the time a vehicle owner registers on a peer-to-peer car sharing
program, but before the owner makes a vehicle available for car
sharing, the program must provide notice that participation in the
program may violate the terms of a contract with the holders of any
liens on the vehicle (Section 379.1920).

Motor vehicle insurers in this State may exclude any and all
coverage under a shared motor vehicle owner's policy of motor
vehicle liability insurance (Section 379.1925).

In the bill, peer-to-peer car sharing programs must collect and
verify certain records pertaining to the use of a vehicle, and
provide them upon request to the vehicle owner, vehicle owner's
insurer, or the driver's insurer to facilitate the processing of
insurance claims, and retain the records for a time period not less
than the applicable personal injury statute of limitations (Section
379.1930).

This bill provides that peer-to-peer car sharing programs and
shared vehicle owners are exempt from vicarious liability based
solely on vehicle ownership, and specifies that motor vehicle
insurers have the right to seek recovery against the peer-to-peer
car sharing program's insurer for defending certain claims
(Sections 379.1935 and 379.1940).

Peer-to-peer car sharing programs must have an insurable interest in shared vehicles as specified in the bill, but are not required to maintain the insurance coverage mandated in the bill (Section 379.1945).

The bill outlines certain content peer-to-peer car sharing program agreements are required to include, and requires the peer-to-peer car sharing program to verify and keep records of certain information about drivers (Sections 379.1950 and 379.1955).

Peer-to-peer car sharing programs must have sole responsibility for any equipment put in or on a vehicle to facilitate a car sharing transaction, and will hold harmless the vehicle owner for any damage or theft occurring to the equipment during the car sharing period, but may seek compensation from the shared vehicle drivers for the damages or loss (Section 379.1960).

This bill specifies parties' responsibilities regarding safety recalls (Section 379.1965).

The Department of Commerce and Insurance can promulgate all necessary rules and regulations for the administration of the provisions of the bill (Section 379.1970).

DELIVERY NETWORK COMPANY INSURANCE ACT (Sections 379.2000 to 379.2025)

This bill enacts the "Delivery Network Company Insurance Act".

The bill details responsibilities of delivery network companies and delivery network company drivers with regard to insurance, including minimum coverage amounts, liability in the event of a lapse in a driver's coverage, payment priority in the event of multiple coverages, and maintaining proof of coverage. This bill specifies that a network company driver is an independent contractor and not an employee of a delivery network company. The bill requires delivery network company drivers to provide certain information in the event of an accident, and requires the drivers and companies to cooperate in claims investigations as specified in the bill. A delivery network company's insurer will assume primary liability for a claim if the company does not have available, or fails to provide, the information required in the bill. A delivery network company must not be deemed to control, direct, or manage a personal vehicle or delivery network company driver, except if agreed to by written contract (Section 379.2015).

The bill requires delivery network companies to make certain disclosures to drivers regarding insurance coverage prior to

allowing the drivers to make deliveries. Insurers may exclude coverage for losses occurring during a delivery availability period or delivery service period, as specified in the bill, and, if they defend or cover a claim against a delivery network company driver which is excluded under their insurance policy, they may seek recovery against the insurer providing the coverage required in the bill. (Sections 379.2020 and 379.2025).

This bill has an effective date of January 1, 2026.

This bill is similar to SB 904 (2024).

The following is a summary of the public testimony from the committee hearing. The testimony was based on the introduced version of the bill.

PROPONENTS: Supporters say that this fixes an issue with peer-to-peer driving services. This is a growing industry and we need to adapt to that with our insurance laws.

Testifying in person for the bill were Representative Murphy; Arnie C. Dienoff; Sean Vinck, Turo; National Association of Mutual Insurance Companies (NAMIC); American Property Casualty Insurance Association; and Jennifer Rodewald, Shelter Insurance .

OPPONENTS: Those who oppose the bill say that language in the bill allows these peer-to-peer companies to choose when they want to be treated like rental cars and when they don't want to be treated like rental cars.

Testifying in person against the bill were Enterprise Mobility; Randy Alberhasky; and Hampton Williams, Missouri Insurance Coalition.

Written testimony has been submitted for this bill. The full written testimony and witnesses testifying online can be found under Testimony on the bill page on the House website.