

SB090_L.030

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Transportation & Local Government.

SB19-090 be amended as follows:

1 Amend proposed committee amendment (SB090_L.022), page 1, line 7,
2 strike "CAUSED BY THE SHARED CAR DRIVER".

3 Page 1 of the amendment, strike lines 11 through 16 and substitute:

4 "(b) THE ASSUMPTION OF LIABILITY UNDER SUBSECTION (1)(a) OF
5 THIS SECTION DOES NOT APPLY TO A SHARED CAR OWNER IF:

6 (I) THE SHARED CAR OWNER MAKES AN INTENTIONAL OR
7 FRAUDULENT MATERIAL MISREPRESENTATION TO OR OMISSION TO THE CAR
8 SHARING PROGRAM BEFORE THE SHARING PERIOD WHEN THE LOSS
9 OCCURRED; OR

10 (II) THE SHARED CAR OWNER ACTS IN CONCERT WITH A SHARED
11 CAR DRIVER WHO FAILS TO RETURN THE SHARED CAR IN ACCORDANCE
12 WITH THE CAR SHARING AGREEMENT.

13 (c) NOTWITHSTANDING SUBSECTION (1)(b) OF THIS SECTION, THE
14 DEFINITION OF "SHARING TERMINATION TIME" IN SECTION 6-1-1202 (11),
15 OR THE AMOUNT OF LIABILITY COVERAGE STATED IN THE CAR SHARING
16 AGREEMENT, THE ASSUMPTION OF LIABILITY UNDER SUBSECTION (1)(a) OF
17 THIS SECTION IN THE AMOUNT REQUIRED BY ARTICLE 7 OF TITLE 42
18 APPLIES TO ANY BODILY INJURY OR PROPERTY DAMAGE SUFFERED BY
19 INNOCENT THIRD PARTIES FOR INJURIES OR LOSSES DURING THE SHARING
20 PERIOD."

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