

SENATE AMENDMENTS TO A-ENGROSSED HOUSE BILL 3149

By COMMITTEE ON BUSINESS, TRANSPORTATION AND ECONOMIC DEVELOPMENT

June 1

1 On page 1 of the printed A-engrossed bill, after line 6, insert:

2 “(1) ‘Owner’s insurance policy’ means a private passenger motor vehicle liability insurance pol-
3 icy that includes:

4 “(a) All coverage necessary to comply with the financial or future responsibility requirements
5 of ORS chapter 806;

6 “(b) The personal injury protection coverage required under ORS 742.518 to 742.542;

7 “(c) The uninsured motorist coverage required under ORS 742.500 to 742.506; and

8 “(d) Any optional coverage selected by the owner.”.

9 In line 7, delete “(1)” and insert “(2)”.

10 In line 10, delete “(2)” and insert “(3)”.

11 In line 13, delete “(3)” and insert “(4)”.

12 After line 15, insert:

13 “(5) ‘Program insurance policy’ means a motor vehicle liability insurance policy that is obtained
14 by the personal vehicle sharing program and that:

15 “(a) Includes all coverage needed to comply with the financial or future responsibility require-
16 ments of ORS chapter 806;

17 “(b) Includes the personal injury protection coverage required under ORS 742.518 to 742.542;

18 “(c) Includes the uninsured motorist coverage required under ORS 742.500 to 742.506;

19 “(d) Includes comprehensive property damage coverage for the vehicle;

20 “(e) Includes collision property damage coverage for the vehicle; and

21 “(f) Does not include any other optional coverage selected by the owner of the vehicle and in-
22 cluded in the owner’s insurance policy.”.

23 Delete lines 18 through 23 and insert:

24 “(1) Provide a program insurance policy with coverage for the vehicle, the designated operator
25 of the vehicle and all persons who, with the consent of the named insured, use the motor vehicle
26 insured under the policy. The limits for any coverage included in the program insurance policy that
27 is also included in the owner’s insurance policy must be equal to or greater than the coverage limits
28 provided in the owner’s insurance policy, as reported to the program by the owner. However, the
29 program may not provide liability coverage that is less than three times the limits specified in ORS
30 806.070.”.

31 On page 2, delete lines 3 through 10 and insert:

32 “(3) Collect, maintain and make available to the vehicle’s registered owner, the vehicle’s regis-
33 tered owner’s primary motor vehicle liability insurer and any government agency as required by law,
34 at the cost of the program:

35 “(a) Verifiable electronic records that identify the date and time, initial and final locations of

1 the vehicle and miles driven when the vehicle is under the control of a person other than the
2 vehicle's registered owner pursuant to the program; and

3 "(b) Any information concerning damages or injuries arising out of personal vehicle sharing
4 pursuant to the program.

5 "(4) Not knowingly permit the vehicle to be operated as a commercial vehicle by a personal
6 vehicle sharing user while engaged in personal vehicle sharing. For the purposes of this subsection,
7 'commercial vehicle' has the meaning given that term in ORS 826.001."

8 In line 20, after "in" delete the rest of the line and delete line 21 and insert "the owner's in-
9 surance policy and notwithstanding ORS chapters 742, 806, 822 and 825 and ORS 30.010 to 30.100,
10 30.135, 30.480 and 30.485, in the event of any loss or injury".

11 Delete lines 27 through 29 and insert:

12 "(2) Nothing in subsection (1) of this section:

13 "(a) Limits the liability of a personal vehicle sharing program for any acts or omissions by the
14 program that result in injury to any persons as a result of the use or operation of the program; or

15 "(b) Limits the ability of the personal vehicle sharing program to, by contract, seek
16 indemnification from the vehicle's registered owner for any claims paid by the personal vehicle
17 sharing program for any loss or injury resulting from fraud or material misrepresentation in the
18 maintenance of the vehicle by the vehicle's registered owner."

19 In line 41, delete "applicable motor vehicle liability" and insert "owner's".

20 On page 3, line 4, after "in" delete the rest of the line and insert "the".

21 In line 5, delete "motor vehicle liability".

22 In line 14, delete "A motor vehicle liability" and insert "An owner's".

23 In line 19, delete "a motor vehicle liability" and insert "an owner's".

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