

365.520 Definitions for KRS 365.520 to 365.528 -- Compliance requirement for peer-to-peer car sharing programs. (Effective January 1, 2023)

- (1) As used in KRS 365.520 to 365.528, unless the context requires otherwise:
 - (a) "Car sharing delivery period" means the period of time during which a shared vehicle is being delivered to the location of the car sharing start time, if applicable, as documented by the governing car sharing program agreement;
 - (b) "Car sharing period" means the period of time that commences with the following and ends at the car sharing termination time:
 1. The car sharing delivery period; or
 2. If there is no car sharing delivery period, the car sharing start time;
 - (c) "Car sharing program agreement":
 1. Means the terms and conditions applicable to a shared vehicle owner and a shared vehicle driver that govern the use of a shared vehicle through a peer-to-peer car sharing program; and
 2. Does not include rental or lease agreements entered with persons operating under a U-Drive-It certificate as defined in KRS 281.010;
 - (d) "Car sharing start time" means the time when the shared vehicle becomes subject to the control of the shared vehicle driver at or after the time the reservation of a shared vehicle is scheduled to begin, as documented in the records of a peer-to-peer car sharing program;
 - (e) "Car sharing termination time" means the earliest of the following:
 1. The expiration of the agreed-upon period of time established for use of a shared vehicle according to the terms of a car sharing program agreement if the shared vehicle is delivered to the location agreed upon in the car sharing program agreement;
 2. When the shared vehicle is returned to a location as alternatively agreed upon by the shared vehicle owner and shared vehicle driver as communicated through a peer-to-peer car sharing program, which alternatively agreed upon location shall be incorporated into the car sharing program agreement; or
 3. When the shared vehicle owner takes possession and control of the shared vehicle;
 - (f) "Peer-to-peer car sharing":
 1. Means the authorized use of a motor vehicle by an individual other than the vehicle's owner through a peer-to-peer car sharing program; and
 2. Does not:
 - a. Include the operation of a U-Drive-It as defined in KRS 281.010; or
 - b. Involve the sale or provision of rental vehicle insurance as defined in KRS 304.9-020;
 - (g) "Peer-to-peer car sharing program":
 1. Means a business platform that connects shared vehicle owners

with shared vehicle drivers to enable the sharing of motor vehicles for financial consideration; and

2. Does not include a:
 - a. U-Drive-It as defined in KRS 281.010;
 - b. Motor vehicle renting company as defined in KRS 281.687;
 - c. Rental vehicle agent as defined in KRS 304.9-020; or
 - d. Service provider that is solely providing hardware or software as a service to a person or entity that is not effectuating payment of financial consideration for use of a shared vehicle;
- (h) "Shared vehicle":
 1. Means a motor vehicle that is available for car sharing through a peer-to-peer car sharing program; and
 2. Does not include a motor vehicle leased or rented by a person operating under a U-Drive-It certificate as defined in KRS 281.010;
- (i) "Shared vehicle driver" means an individual who has been authorized to drive the shared vehicle by the shared vehicle owner under a car sharing program agreement; and
- (j) "Shared vehicle owner":
 1. Means the registered owner, or a person or entity designated by the registered owner, of a motor vehicle made available for sharing to shared vehicle drivers through a peer-to-peer car sharing program; and
 2. Does not include a:
 - a. Person operating a U-Drive-It as defined in KRS 281.010;
 - b. Motor vehicle renting company as defined in KRS 281.687; or
 - c. Rental vehicle agent as defined in KRS 304.9-020.
- (2) A peer-to-peer car sharing program doing business in this state shall comply with KRS 365.522 and 365.524

Effective: January 1, 2023

History: Created 2022 Ky. Acts ch. 153, sec. 7, effective January 1, 2023.