

# STATE OF NEW YORK

5941--B

2025-2026 Regular Sessions

## IN SENATE

March 4, 2025

Introduced by Sens. SKOUFIS, ADDABBO, BAILEY, BASKIN, CLEARE, COMRIE, COONEY, FERNANDEZ, GOUNARDES, GRIFFO, JACKSON, SCARCELLA-SPANTON -- read twice and ordered printed, and when printed to be committed to the Committee on Insurance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the general business law and the insurance law, in relation to requiring peer-to-peer car sharing programs provide certain insurance coverage

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

- 1 Section 1. Subdivision 2 of section 901 of the general business law,  
2 as amended by chapter 129 of the laws of 2022, is amended to read as  
3 follows:
- 4 2. A peer-to-peer car sharing program administrator, during each peer-  
5 to-peer car sharing period for each shared vehicle that it facilitates  
6 the use and operation of, shall maintain insurance that provides finan-  
7 cial responsibility coverage as follows:
- 8 (a) provide insurance coverage that [~~satisfies~~] is three times the  
9 financial responsibility requirements set forth in the definition of  
10 "owners' policy of liability insurance" in subdivision four of section  
11 three hundred eleven of the vehicle and traffic law;
- 12 (b) provide insurance coverage that satisfies the financial responsi-  
13 bility requirements set forth in section three thousand four hundred  
14 twenty of the insurance law, article fifty-one of the insurance law and  
15 such other requirements, rules or regulations that may apply for the  
16 purposes of satisfying the financial responsibility requirements with  
17 respect to the use or operation of a motor vehicle;
- 18 [~~(b) maintain additional insurance against loss from the liability~~  
19 ~~imposed by law for damages during the car sharing period, including~~

EXPLANATION--Matter in italics (underscored) is new; matter in brackets [-] is old law to be omitted.

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~~1 damages for care and loss of services, because of bodily injury to or  
2 death of any person and injury to or destruction of property arising out  
3 of the ownership, maintenance, use or operation of a specific personal  
4 vehicle or vehicles within the state, or elsewhere in the United States  
5 or Canada, subject to a limit, exclusive of interest and costs, with  
6 respect to each such occurrence, of at least one million two hundred  
7 fifty thousand dollars because of bodily injury to or death of any  
8 person, and injury to or destruction of property;~~

~~9 (e) provide coverage in accordance with subsection (f) of section  
10 three thousand four hundred twenty of the insurance law, providing  
11 supplementary uninsured/underinsured motorist insurance for bodily inju-  
12 ry, subject to a limit per occurrence in the amount of one million two  
13 hundred fifty thousand dollars because of bodily injury or death of any  
14 person;~~

15 ~~(d)] (c)~~ the insurance required under this subdivision need not be  
16 coterminous with the registration period of the shared vehicle insured;  
17 and

18 [~~(e)] (d)~~ For purposes of article fifty-one of the insurance law, 11  
19 NYCRR Part 65 and general liability claims, notice to the shared vehicle  
20 owner, shared vehicle driver, peer-to-peer car sharing program adminis-  
21 trator, or any insurer of the shared vehicle owner, shared vehicle driv-  
22 er, or peer-to-peer car sharing program administrator of any claim shall  
23 be deemed notice to all appropriate parties and insurers. Any shared  
24 vehicle owner, shared vehicle driver, peer-to-peer car sharing program  
25 administrator, or any insurer of the shared vehicle owner, shared vehi-  
26 cle driver, or peer-to-peer car sharing program administrator receiving  
27 such notice shall provide such notice to all appropriate parties.

28 § 2. Section 901 of the general business law is amended by adding two  
29 new subdivisions 8 and 9 to read as follows:

30 8. For each peer-to-peer car sharing period, a peer-to-peer car shar-  
31 ing program administrator shall:

32 (a) either provide the shared vehicle owner with additional liability  
33 insurance or provide the shared vehicle owner with the opportunity to  
34 purchase additional liability insurance pursuant to subparagraph (A) of  
35 paragraph one of subsection (d) of section two thousand one hundred  
36 thirty-one of the insurance law; and

37 (b) either provide the shared vehicle driver with additional liability  
38 insurance or provide the shared vehicle driver with the opportunity to  
39 purchase additional liability insurance pursuant to subparagraph (A) of  
40 paragraph one of subsection (d) of section two thousand one hundred  
41 thirty-one of the insurance law.

42 9. For each peer-to-peer car sharing period, a peer-to-peer car shar-  
43 ing administrator may offer the shared vehicle owner or the shared driv-  
44 er the opportunity to purchase additional insurance coverages described  
45 in subparagraph (B), (C) or (D) of paragraph one of subsection (d) of  
46 section two thousand one hundred thirty-one of the insurance law.

47 § 3. Subdivision 1 of section 905 of the general business law, as  
48 amended by chapter 129 of the laws of 2022, is amended to read as  
49 follows:

50 1. Each peer-to-peer car sharing program agreement made in this state  
51 shall disclose and separately state or itemize to the shared vehicle  
52 owner and the shared vehicle driver:

53 (a) the daily rate, fees, and, if applicable, any insurance or  
54 protection package costs that shall be charged to the shared vehicle  
55 owner or the shared vehicle driver; [~~and~~]

1 (b) an emergency telephone number to contact personnel capable of  
2 providing roadside assistance and handling other customer service  
3 inquiries;

4 (c) the coverage, limits, and exclusions that the group policy  
5 provides;

6 (d) a description of the additional insurance coverages that the peer-  
7 to-peer car sharing program administrator provides or offers pursuant to  
8 section two thousand one hundred thirty-one of the insurance law;

9 (e) a statement that for each peer-to-peer car sharing period, a peer-  
10 to-peer car sharing program administrator must either provide additional  
11 liability insurance or offer the shared vehicle owner and shared vehicle  
12 driver with the opportunity to purchase additional liability insurance  
13 pursuant to subparagraph (A) of paragraph one of subsection (d) of  
14 section two thousand one hundred thirty-one of the insurance law; and

15 (f) a statement describing any additional insurance that a peer-to-  
16 peer car sharing administrator may provide a shared vehicle owner or a  
17 shared vehicle driver with the opportunity to purchase pursuant to  
18 section two thousand one hundred thirty-one of the insurance law.

19 § 4. Section 2131 of the insurance law, as amended by chapter 582 of  
20 the laws of 2023, the section heading, subsections (a), (d), (e), (f),  
21 (h) and (i) as amended by chapter 368 of the laws of 2010, subsection  
22 (g) as amended by chapter 426 of the laws of 2005, is amended to read as  
23 follows:

24 § 2131. Limited license for rental vehicle companies, peer-to-peer car  
25 sharing program administrators, wireless communications equipment  
26 vendors and self-service storage companies. (a) The superintendent may  
27 issue to a rental vehicle company, a peer-to-peer car sharing program  
28 administrator, a wireless communications equipment vendor, a self-ser-  
29 vice storage company or to a franchisee of a rental vehicle company, a  
30 wireless communications equipment vendor, or a self-service storage  
31 company which has complied with the requirements of this section, a  
32 limited license authorizing the licensee, known as a "limited licensee"  
33 for the purpose of this article, to act as agent, with reference to the  
34 kinds of insurance specified in this section, of any insurer authorized  
35 to write such kinds of insurance in this state.

36 (b) The prerequisites for issuance of a limited license under this  
37 section shall be the filing with the superintendent of the following:

38 (1) an application, signed by an officer of the applicant, for the  
39 limited license in such form or forms, and supplements thereto, and  
40 containing such information, as the superintendent may prescribe; and

41 (2) an appointment of a limited licensee by the appointing insurer, in  
42 a format approved by the superintendent, no more than fifteen days after  
43 the date the agency contract is executed or the first insurance contract  
44 is submitted, whichever is later, stating that it has satisfied itself  
45 that the named applicant is trustworthy and competent to act as its  
46 insurance agent for this limited purpose and that the insurer will  
47 appoint such applicant to act as the agent in reference to the doing of  
48 such kind or kinds of insurance which are permitted by this section, if  
49 the limited license applied for is issued by the superintendent. Such  
50 appointment shall be subscribed by an officer or managing agent of such  
51 insurer and affirmed as true under the penalties of perjury.

52 (c) In the event that any provision of this chapter is violated, the  
53 superintendent may:

54 (1) revoke or suspend a limited license issued under this section in  
55 accordance with the provisions of section two thousand one hundred ten  
56 of this article; or

1 (2) after notice and hearing impose such other penalties, including  
2 suspending the transaction of insurance at specific locations where  
3 violations of this article have occurred, as the superintendent deems  
4 necessary or convenient to carry out the purposes of this section.

5 (d) The rental vehicle company, peer-to-peer car sharing program  
6 administrator, wireless communications equipment vendor, or self-service  
7 storage company, or franchisee licensed pursuant to subsection (a) of  
8 this section may act as agent for an authorized insurer only in  
9 connection with the rental of motor vehicles, the sharing of a shared  
10 vehicle, the sale or offering for sale of wireless communications equip-  
11 ment, or the rental of storage space, respectively, and only with  
12 respect to the following kinds of insurance:

13 (1) with respect to rental vehicle companies and peer-to-peer car  
14 sharing program administrators:

15 (A) excess liability insurance that provides coverage to the rental  
16 car company or franchisee and renters and other authorized drivers of  
17 rental vehicles, or that provides coverage to the peer-to-peer car shar-  
18 ing program administrator, shared vehicles owners, or shared vehicle  
19 drivers, or a combination thereof, in excess of the standard liability  
20 limits provided by the rental vehicle company in its rental agreement or  
21 the peer-to-peer car sharing program agreement pursuant to article forty  
22 of the general business law, for liability arising from the negligent  
23 operation of the rental vehicle or the shared vehicle;

24 (B) accident and health insurance that provides coverage to renters  
25 and other vehicle occupants, in excess to the standard first party bene-  
26 fits provided pursuant to article fifty-one of this chapter, for acci-  
27 dental death and/or dismemberment and for medical expenses resulting  
28 from an accident that occurs during the rental period or during the  
29 peer-to-peer car sharing period;

30 (C) personal effects insurance that provides coverage to renters and  
31 other vehicle occupants or to shared vehicle owners or shared vehicle  
32 drivers, or a combination thereof, and other vehicle occupants, for the  
33 loss of, or damage to, personal effects that occurs during the rental  
34 period or peer-to-peer car sharing period;

35 (D) any other coverage [~~which~~] that the superintendent may approve as  
36 meaningful and appropriate in connection with the rental of motor vehi-  
37 cles; or

38 (2) with respect to wireless communications equipment vendors, insur-  
39 ance issued to cover the loss, theft, mechanical failure, or malfunction  
40 of, or damage to, wireless communications equipment offered as either an  
41 individual policy issued to the consumer or as a group policy under  
42 which certificates or other evidence of coverage are issued to individ-  
43 ual consumers who enroll in the program, provided however, that said  
44 insurance shall not extend to wireless services or service contracts  
45 governed by article seventy-nine of this chapter; or

46 (3) with respect to self-service storage companies, the following  
47 coverages offered as either an individual policy issued to the consumer  
48 or as a group policy:

49 (A) personal effects insurance that provides coverage to renters of  
50 storage spaces at the self-service storage company's facility for the  
51 loss of, or damage to, personal property stored at the facility, where  
52 the loss or damage occurs at the same facility during the rental period;

53 (B) any other coverage that the superintendent may approve as meaning-  
54 ful and appropriate in connection with the rental of storage space.

55 (e) No insurance may be issued pursuant to this section unless:

1 (1) with regard to the rental of vehicles only, the rental period of  
2 the rental agreement does not exceed thirty consecutive days; and

3 (2) at every location where rental vehicle agreements, wireless commu-  
4 nications equipment agreements, or self-service storage agreements are  
5 executed, brochures or other written materials are readily available to  
6 the prospective consumer, and with regard to a peer-to-peer car sharing  
7 program administrator, the administrator provides written materials,  
8 that:

9 (A) summarize, clearly and correctly, the material terms of insurance  
10 coverage, including the identity of the insurer and, with regard to  
11 wireless communications equipment insurance, the agent licensed under  
12 subsection (b) of section two thousand one hundred three of this arti-  
13 cle;

14 (B) disclose that these policies may provide a duplication of coverage  
15 already provided by a renter's personal automobile insurance policy,  
16 homeowner's insurance policy, personal liability insurance policy, or  
17 other source of coverage;

18 (C) state that the purchase by the consumer of the kinds of insurance  
19 specified in this section is not required in order to rent a vehicle, to  
20 share a shared vehicle, to purchase or lease wireless communications  
21 equipment, or to rent storage space;

22 (D) describe the process for filing a claim in the event the consumer  
23 elects to purchase coverage;

24 (E) the price, deductible, benefits, exclusions and conditions or  
25 other limitations of such policies;

26 (F) disclose that the employee of the rental vehicle company, peer-to-  
27 peer car sharing program administrator, wireless communications equip-  
28 ment vendor or self-storage company is not qualified or authorized to  
29 evaluate the adequacy of the purchaser's existing coverages, unless  
30 otherwise licensed; and

31 (G) state that the customer may cancel the insurance at any time and  
32 any unearned premium will be refunded in accordance with applicable law.

33 (3) evidence of coverage is provided to every consumer who elects to  
34 purchase such coverage.

35 (f) Rates and forms for insurance under this section shall be subject  
36 to article twenty-three of this chapter. Any brochures or other written  
37 materials used in connection with insurance under this section shall be  
38 filed with the superintendent for review and shall include disclosure of  
39 the claims filing process, premium, deductible amounts and limits and  
40 shall be prominently displayed in the brochure or other written materi-  
41 als with at least twelve-point type bold headings. Any such brochures  
42 or other written materials shall also be subject to section three thou-  
43 sand one hundred two of this chapter, provided, however, that any poli-  
44 cy, certificate or other evidence of insurance coverage, whether or not  
45 contained in such brochure, shall not be subject to section three thou-  
46 sand one hundred two of this chapter, but shall be written in a clear  
47 and coherent manner and whenever practicable shall use words with common  
48 and everyday meaning to facilitate readability and to aid the policy-  
49 holder in understanding the coverage provided.

50 (g) Any limited license issued under this section shall also authorize  
51 any salaried employee or any sales representative authorized by the  
52 licensee who, pursuant to subsection (h) of this section, is trained to  
53 act individually on behalf, and under the supervision, of the licensee  
54 with respect to the kinds of insurance specified in this section.

55 (h) Each company or franchisee licensed pursuant to this section shall  
56 conduct a training program, which shall be submitted to the superinten-

1 dent for approval prior to use, and which shall meet the following mini-  
2 mum standards:

3 (1) each trainee shall receive basic instruction about the kinds of  
4 insurance specified in this section offered for purchase by prospective  
5 renters of rental vehicles, shared vehicle owners, shared vehicle driv-  
6 ers, purchasers or lessors of wireless communications equipment, or  
7 renters of storage space;

8 (2) each trainee shall be instructed with respect to the disclosures  
9 required under subsection (e) of this section and to acknowledge to a  
10 prospective renter of a rental vehicle, shared vehicle owner, shared  
11 vehicle driver, purchaser or lessor of wireless communications equip-  
12 ment, or renter of storage space that purchase of any such insurance  
13 specified in this section is not required in order for the consumer to  
14 rent a motor vehicle, share a shared vehicle, purchase or lease wireless  
15 communications equipment, or rent storage space;

16 (3) each trainee shall be instructed to acknowledge to a prospective  
17 consumer of the kinds of insurance specified in this section that the  
18 consumer may have insurance policies that already provide the coverage  
19 being offered by the rental vehicle company, the wireless communications  
20 equipment vendor, or self-service storage company pursuant to this  
21 section, as applicable; and

22 (4) with regard to wireless communications equipment insurance and  
23 self-service storage company insurance, training materials may be devel-  
24 oped and provided by an agent licensed pursuant to subsection (b) of  
25 section two thousand one hundred three of this article.

26 (i) Limited licensees acting pursuant to and under the authority of  
27 this section shall comply with all applicable provisions of this arti-  
28 cle, except that notwithstanding section two thousand one hundred twenty  
29 of this article, a limited licensee pursuant to this section shall not  
30 be required to treat premiums collected from consumers purchasing such  
31 insurance when renting motor vehicles, sharing a shared vehicle,  
32 purchasing or leasing wireless communications equipment, or renting  
33 storage space as funds received in a fiduciary capacity, provided that:

34 (1) the insurer represented by the limited licensee has consented in  
35 writing, signed by the insurer's officer, that premiums need not be  
36 segregated from funds received by the rental vehicle company, peer-to-  
37 peer car sharing program administrator, wireless communications equip-  
38 ment vendor, or self-storage company on account of vehicle rental, shar-  
39 ing of a shared vehicle, wireless communications equipment purchase or  
40 lease, or storage space rental; and

41 (2) the charges for insurance coverage are itemized but not billed to  
42 the consumer separately from the charges for rental vehicles, shared  
43 vehicles, purchase or lease of wireless communications equipment, or  
44 storage space rental.

45 (j) No limited licensees under this section shall advertise, represent  
46 or otherwise hold itself or any of its employees themselves out as  
47 licensed insurance agents or brokers.

48 (k) The superintendent may issue a replacement for a currently in  
49 force license which has been lost or destroyed. Before such replacement  
50 license shall be issued, there shall be on file in the office of the  
51 superintendent a written application for such replacement license,  
52 affirming under penalty of perjury that the original license has been  
53 lost or destroyed, together with a fee of fifteen dollars.

54 (l) For purposes of this section "wireless communications equipment"  
55 shall mean wireless handsets, pagers, personal digital assistants, wire-  
56 less telephones or wireless telephone batteries and other wireless

1 devices and accessories related to such devices that are used to access  
2 wireless communications services and includes wireless services.

3 (m) For purposes of this section, "peer-to-peer car sharing program  
4 administrator", "peer-to-peer car sharing period", "shared vehicle",  
5 "shared vehicle driver", and "shared vehicle owner" shall have the mean-  
6 ings set forth in section nine hundred of the general business law.

7 § 5. This act shall take effect on the one hundred eightieth day after  
8 it shall have become a law. Effective immediately, the addition, amend-  
9 ment and/or repeal of any rule or regulation necessary for the implemen-  
10 tation of this act on its effective date are authorized to be made and  
11 completed on or before such effective date.