



## Ohio Revised Code Section 4516.10 Liability coverage.

Effective: October 3, 2023

Legislation: House Bill 33

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(A)(1) A peer-to-peer car sharing program shall ensure that, during each car sharing period, the shared vehicle owner and the shared vehicle driver are each covered by a motor-vehicle liability policy or other proof of financial responsibility. Each policy or proof shall provide coverage in an amount that is not less than the amounts specified in section 4509.51 of the Revised Code. The policy or proof shall do either of the following:

(a) Recognize that the motor vehicle insured under the policy or proof is a shared vehicle;

(b) Not expressly exclude the use of the motor vehicle insured under the policy or proof as a shared vehicle by a shared vehicle driver.

(2) The insurance required by division (A)(1) of this section may be satisfied by any of the following or a combination of any of the following:

(a) A motor-vehicle liability policy or other proof of financial responsibility that is maintained by the shared vehicle owner;

(b) A motor-vehicle liability policy or other proof of financial responsibility that is maintained by the shared vehicle driver;

(c) A motor-vehicle liability policy or other proof of financial responsibility that is maintained by the peer-to-peer car sharing program.

(3)(a) Whichever motor-vehicle liability policy or other proof of financial responsibility under division (A)(2) of this section that is satisfying the insurance required under division (A)(1) of this section as specified in the peer-to-peer car sharing program agreement is the primary insurance during each car sharing period.



(b) If a claim occurs in a state with minimum proof of financial responsibility limits higher than those specified in section 4509.51 of the Revised Code, the motor-vehicle liability policy or other proof of financial responsibility that is maintained by the peer-to-peer car sharing program under division (A)(2)(c) of this section shall satisfy any difference in minimum coverage amounts, up to the applicable policy limits.

(c) Except as provided by division (A) of section 4516.11 of the Revised Code, the person or entity providing the primary insurance under division (A)(3)(a) of this section shall assume primary liability for a claim when either of the following occurs:

(i) A dispute exists as to who was operating the shared vehicle at the time of the loss, and the peer-to-peer car sharing program does not have available, did not retain, or fails to provide the records required by section 4516.02 of the Revised Code.

(ii) A dispute exists as to whether the shared vehicle was returned to the originally agreed upon location or an alternatively agreed upon location for transfer of possession in accordance with the peer-to-peer car sharing program agreement.

(4)(a) If the motor-vehicle liability policy or other proof of financial responsibility maintained by a shared vehicle owner or shared vehicle driver does not provide liability coverage for peer-to-peer car sharing in the amounts required by division (A)(1) of this section, the insurance maintained by the peer-to-peer car sharing program shall provide the required coverage, beginning with the first dollar of the claim and shall have the duty to defend the claim.

(b) A motor-vehicle liability policy or other proof of financial responsibility maintained by a peer-to-peer car sharing program in accordance with this section shall not require the shared vehicle owner's or shared vehicle driver's insurer to first deny a claim before providing coverage.

(B) A motor-vehicle liability policy that meets the requirements of this section satisfies the requirement for proof of financial responsibility for motor vehicles under Chapter 4509. of the Revised Code.