

**Effective 7/1/2023**

**Part 1  
General Provisions**

**Effective until 7/1/2024**

**13-48a-101 Definitions.**

As used in this chapter:

- (1)
  - (a) "Car sharing" means the authorized use of a motor vehicle:
    - (i) by an individual other than the owner of the motor vehicle; and
    - (ii) through a peer-to-peer car-sharing program.
  - (b) "Car sharing" does not mean the business of providing private passenger motor vehicles to the public as used in Section 31A-22-311.
- (2)
  - (a) "Car-sharing agreement" means an agreement:
    - (i) applicable to a shared vehicle owner and a shared vehicle driver; and
    - (ii) that governs a shared vehicle driver's use of a shared vehicle through a car-sharing program.
  - (b) "Car-sharing agreement" does not mean:
    - (i) a rental agreement, as defined in Section 31A-22-311; or
    - (ii) a short-term rental as that term is defined in Section 59-12-602.
- (3) "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 agreement.
- (4) "Car-sharing period" means the period of time that:
  - (a)
    - (i) begins at the car-sharing delivery period; or
    - (ii) if there is no car-sharing delivery period, begins at the car-sharing start time; and
  - (b) ends at the car-sharing termination time.
- (5)
  - (a) "Car-sharing program" or "peer-to-peer car-sharing program" means a business platform that connects motor vehicle owners with drivers to enable the sharing of motor vehicles for consideration.
  - (b) "Car-sharing program" does not mean:
    - (i) a motor vehicle rental company, as defined in Section 13-48-102; or
    - (ii) a rental company, as defined in Section 31A-22-311.
- (6) "Car-sharing start time" means the time when a shared vehicle becomes subject to the control of the shared vehicle driver at or after the time the reservation of the shared vehicle is scheduled to begin, as documented in the records of the car-sharing program.
- (7) "Car-sharing termination time" means the earliest of the following events:
  - (a) the expiration of the agreed upon period of time established for the use of a shared vehicle according to the terms of the car-sharing agreement, if the shared vehicle is delivered to the location agreed upon in the car-sharing agreement;
  - (b) 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 car-sharing program, which alternatively agreed upon location shall be incorporated into the car-sharing agreement; and

- (c) when the shared vehicle owner or shared vehicle owner's authorized designee takes possession and control of the shared vehicle.
- (8) "Individual-owned shared vehicle" means:
  - (a) for a motor vehicle purchased in the state, a shared vehicle for which applicable sales tax and use tax was paid on the purchase; or
  - (b) for a motor vehicle not purchased in the state, a shared vehicle for which:
    - (i) an applicable use tax was paid to this state on the purchase; or
    - (ii) sales tax or use tax was paid on the purchase in the jurisdiction in which the motor vehicle was purchased.
- (9) "Motor vehicle" means the same as that term is defined in Section 41-1a-102.
- (10) "Shared vehicle" means a motor vehicle that is available for use by an individual other than the shared vehicle owner through a car-sharing program.
- (11)
  - (a) "Shared vehicle driver" means an individual who has been authorized to drive a shared vehicle by the shared vehicle owner under a car-sharing program.
  - (b) "Shared vehicle driver" does not mean a renter, as defined in Section 31A-22-311.
- (12)
  - (a) "Shared vehicle owner" means:
    - (i) the registered owner of a motor vehicle made available for car sharing; or
    - (ii) a person designated by the registered owner of a motor vehicle made available for car sharing.
  - (b) "Shared vehicle owner" does not mean a rental company, as defined in Section 31A-22-311.

Enacted by Chapter 361, 2023 General Session

**Effective 7/1/2024**

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As used in this chapter:

- (1)
  - (a) "Car sharing" means the authorized use of a motor vehicle:
    - (i) by an individual other than the owner of the motor vehicle; and
    - (ii) through a peer-to-peer car-sharing program.
  - (b) "Car sharing" does not mean the business of providing private passenger motor vehicles to the public as used in Section 31A-22-311.
- (2)
  - (a) "Car-sharing agreement" means an agreement:
    - (i) applicable to a shared vehicle owner and a shared vehicle driver; and
    - (ii) that governs a shared vehicle driver's use of a shared vehicle through a car-sharing program.
  - (b) "Car-sharing agreement" does not mean:
    - (i) a rental agreement, as defined in Section 31A-22-311; or
    - (ii) a short-term rental as that term is defined in Section 59-12-102.
- (3) "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 agreement.
- (4) "Car-sharing period" means the period of time that:
  - (a)
    - (i) begins at the car-sharing delivery period; or

- (ii) if there is no car-sharing delivery period, begins at the car-sharing start time; and
  - (b) ends at the car-sharing termination time.
- (5)
- (a) "Car-sharing program" or "peer-to-peer car-sharing program" means a business platform that connects motor vehicle owners with drivers to enable the sharing of motor vehicles for consideration.
  - (b) "Car-sharing program" does not mean:
    - (i) a motor vehicle rental company, as defined in Section 13-48-102; or
    - (ii) a rental company, as defined in Section 31A-22-311.
- (6) "Car-sharing start time" means the time when a shared vehicle becomes subject to the control of the shared vehicle driver at or after the time the reservation of the shared vehicle is scheduled to begin, as documented in the records of the car-sharing program.
- (7) "Car-sharing termination time" means the earliest of the following events:
- (a) the expiration of the agreed upon period of time established for the use of a shared vehicle according to the terms of the car-sharing agreement, if the shared vehicle is delivered to the location agreed upon in the car-sharing agreement;
  - (b) 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 car-sharing program, which alternatively agreed upon location shall be incorporated into the car-sharing agreement; and
  - (c) when the shared vehicle owner or shared vehicle owner's authorized designee takes possession and control of the shared vehicle.
- (8) "Individual-owned shared vehicle" means:
- (a) for a motor vehicle purchased in the state, a shared vehicle for which applicable sales tax and use tax was paid on the purchase; or
  - (b) for a motor vehicle not purchased in the state, a shared vehicle for which:
    - (i) an applicable use tax was paid to this state on the purchase; or
    - (ii) sales tax or use tax was paid on the purchase in the jurisdiction in which the motor vehicle was purchased.
- (9) "Motor vehicle" means the same as that term is defined in Section 41-1a-102.
- (10) "Shared vehicle" means a motor vehicle that is available for use by an individual other than the shared vehicle owner through a car-sharing program.
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- (a) "Shared vehicle owner" means:
    - (i) the registered owner of a motor vehicle made available for car sharing; or
    - (ii) a person designated by the registered owner of a motor vehicle made available for car sharing.
  - (b) "Shared vehicle owner" does not mean a rental company, as defined in Section 31A-22-311.

Amended by Chapter 274, 2024 General Session

**13-48a-102 Limits on reach of chapter.**

Nothing in this chapter:

- (1) limits the liability of a car-sharing program for an act or omission of the car-sharing program that results in injury to a person as a result of the use of a shared vehicle through a car-sharing program; or
- (2) limits the ability of the car-sharing program, by contract, to seek indemnification from the shared vehicle owner or the shared vehicle driver for economic loss sustained by the car-sharing program resulting from a breach of the terms and conditions of the car-sharing agreement.

Enacted by Chapter 361, 2023 General Session