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Testimony of Denise Tepler presenting

LD 540, An Act To Promote Safety and Protect Consumers Using Peer-to- peer Car Sharing Programs

Before the Joint Standing Committee on Health Coverage, Insurance and Financial Services Committee

Senator Sanborn, and esteemed colleagues of the Health Coverage, Insurance and Financial Services Committee, today I would like to present to you **LD 540, An Act To Promote Safety and Protect Consumers Using Peer-to- peer Car Sharing Programs.**

When this committee initially adopted the Peer-to-Peer Car Sharing statute that we have now, we overlooked the responsibility of the businesses promoting this exchange of vehicles for injuries to innocent 3rd parties. Doesn't it make sense that if a business is making a profit from providing an opportunity that they take some responsibility when that opportunity results in damage to someone who is not a part of the transaction?

I have heard from many members of the plaintiffs' bar that the protections in this law are inadequate for such 3rd parties. Who is responsible if the person who is using a car that they got from a car sharing app gets into a bad accident with me? Doesn't the company that facilitated that exchange bear some responsibility? Under current law they are exempt from vicarious liability. I believe this is a serious error on our part, and this bill, unlike the NCOIL model, corrects it.

I am happy to answer any questions that you have but others following me may be better able to explain the legal issues involved.