

RCW 48.175.010 Requirements of program. (Effective until January 1, 2023.) For each vehicle that the program facilitates the use of, a program must:

(1) Provide a program insurance policy with coverage for the vehicle and all persons who, with the consent of the program, use the motor vehicle insured while in control of the vehicle in the program. The limits for any coverage included in the program insurance policy may not provide liability coverage that is less than three times the limits specified in chapter 46.30 RCW and may not provide collision or comprehensive coverage that is less than the actual cash value of the vehicle;

(2) Prior to the first use of a vehicle in a program, and upon renewal, cancellation, or change in insurance by the program, provide the vehicle's registered owner with a proof of compliance with the insurance requirements of this section and the requirements of chapter 46.30 RCW, underinsured motorist coverage elections made by the sharing program under RCW 48.22.030 and personal injury protection coverage elections made by the sharing program under RCW 48.22.085. A copy of the proof of compliance must be maintained in the vehicle by the vehicle's registered owner at all times when the vehicle is operated by any person other than the vehicle's registered owner pursuant to the program;

(3) Collect, maintain, and make available to the vehicle's registered owner, the vehicle's registered owner's primary automobile liability insurer, and any government agency as required by law, at the cost of the program, the following:

(a) Verifiable records that identify the date and duration that the vehicle is under the control of a person other than the vehicle's registered owner pursuant to the program. For vehicles with an electronic tracking device, verifiable electronic records of the time, initial and final locations of the vehicle, and miles driven when the vehicle is under the control of a person other than the vehicle's registered owner pursuant to the program; and

(b) In instances where an insurance claim has been filed, any and all information, including payments to the registered owner by the program, concerning accidents, damages, or injuries arising out of personal vehicle sharing pursuant to the program;

(4) Not knowingly permit the vehicle to be operated as a commercial vehicle by a personal vehicle sharing user while engaged in personal vehicle sharing. For the purposes of this subsection, "commercial vehicle" has the meaning given that term in RCW 46.04.140;

(5) Ensure that the vehicle is a private passenger motor vehicle;

(6) Facilitate the installation, operation, and maintenance of its own signage and computer hardware and software, if and when requested by the vehicle owner, necessary for the vehicle to be used in the program;

(7) Indemnify and hold harmless the vehicle's registered owner for the cost of damage or theft of equipment installed by the program under subsection (6) of this section and any damage caused to the vehicle by the installation, operation, or maintenance of the equipment;

(8) (a) Prior to the first use of a vehicle in a program, and upon renewal, cancellation, or change in insurance by the program, provide the vehicle's registered owner and any person operating the vehicle pursuant to the program with a disclosure that contains:

(i) Information explaining the requirements of this section;

(ii) Full and clear disclosure of the coverages and coverage limits provided under the program insurance policy;

(iii) Notice that the vehicle owner's insurer has no duty to defend or indemnify any person or organization for liability for any loss that occurs during use of the vehicle pursuant to a program; and

(iv) Notice that the vehicle owner or any person operating the vehicle pursuant to the program may have liability for claims that exceed the limits of the program insurance policy.

(b) The information in (a) of this subsection must be made available to the vehicle owner's insurer upon the insurer's request.
[2012 c 108 § 2.]