

1 HB406
2 208550-2
3 By Representative Whitt
4 RFD: County and Municipal Government
5 First Read: 11-FEB-21

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8 SYNOPSIS: This bill would provide requirements for car
9 sharing programs that operate at an airport.

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11 A BILL
12 TO BE ENTITLED
13 AN ACT

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15 Relating to public transportation; to provide
16 requirements for car sharing programs that operate at an
17 airport.

18 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

19 Section 1. (a) As used in this section, the
20 following terms shall have the following meanings:

21 (1) CAR. Every vehicle that is self-propelled and
22 used for transportation of persons, except for electric
23 personal assistive mobility devices.

24 (2) CAR SHARING. The authorized use of a shared car
25 by persons other than the shared car's owner, facilitated by a
26 car sharing program.

1 (3) CAR SHARING AGREEMENT. The terms and conditions
2 that apply to a shared car owner and a shared car driver and
3 that govern the use of a shared car.

4 (4) CAR SHARING PROGRAM. A person that is in the
5 business of operating an online platform to connect
6 third-party car owners with third-party car drivers to enable
7 peer-to-peer car sharing within the state. The term does not
8 include the registered owner of a car involved in car sharing
9 facilitated by a car sharing program.

10 (5) SHARED CAR. A car that is available for sharing
11 through a car sharing program.

12 (6) SHARED CAR DRIVER. An individual who has been
13 authorized to drive a shared car by a car sharing program
14 under a car sharing agreement.

15 (7) SHARED CAR OWNER. A person that makes a shared
16 car available for sharing to shared car drivers through a car
17 sharing program.

18 (b) A car sharing program that enables car sharing
19 at an airport shall be deemed to be an off-site concessionaire
20 operating at the airport and shall enter into a concession
21 agreement with the airport authority before enabling car
22 sharing, as provided in subsection (c), at the airport. The
23 concession agreement required by this subsection shall contain
24 the same or reasonably similar terms, conditions, standards,
25 regulations, procedures, fees, and access requirements
26 applicable to off-site rental car companies operating at the
27 airport. Airport authorities may adopt rules for car sharing

1 programs and impose fees on car sharing programs that enable
2 car sharing at an airport.

3 (c) A car sharing program enables car sharing at an
4 airport if the car sharing program or a shared car owner uses
5 the car sharing program to do any of the following:

6 (1) List cars parked on airport property or at
7 airport facilities.

8 (2) Contract for transportation to or from airport
9 facilities.

10 (3) Facilitate the use of a shared car to transport
11 airport passengers on or off of airport property.

12 (4) Promote or market a shared car to transport
13 airport passengers on or off of airport property.

14 (d) A car sharing program shall collect and verify
15 records concerning the use of a car, including times used,
16 fees paid by the shared car driver, and revenues received by
17 the shared car owner. A car sharing program shall provide
18 these records upon request to the airport authority as
19 required by a concession agreement. The car sharing program
20 shall retain these records for at least three years.

21 (e) If a car sharing program violates this section,
22 the airport authority shall be entitled to an injunction
23 prohibiting further violations of this section, actual
24 damages, punitive damages, and reasonable attorneys' fees and
25 costs.

1 Section 2. This act shall become effective on the
2 first day of the third month following its passage and
3 approval by the Governor, or its otherwise becoming law.