



Jeffrey Junkas
Assistant Vice President, State Government Relations

June 12, 2019

The Honorable Rob McColley
Chair, Transportation, Commerce and Workforce Committee
Ohio Senate
1 Capitol Square, Ground Floor
Columbus, OH 43215

RE: SUPPORT Senate Bill 161 – “Peer-to-Peer” Statutory Framework

Dear Chairman McColley,

The American Property Casualty Insurance Association (APCIA) is a trade association representing more than 60 percent of the market in Ohio that promotes and protects the viability of private competition for the benefit of consumers and insurers. We respectfully submit the following comments in support of Senate Bill 161.

Ohio has always had a national reputation for leadership and doing the right thing. The state can add to that legacy, and more importantly help foster a nascent industry with the right set of balanced laws for all stakeholders, by passing Senate Bill 161, which establishes a framework for ‘Peer-to-Peer’ (P2P) entities to operate with clear lines of liability for insurers and strong consumer protections for all drivers on the road.

Of significant importance to APCIA and our members is maintaining in SB 161 the ability of insurers to properly underwrite this and other auto risks, so we would oppose any changes to or restrictions on our ability to do that, which could negatively impact an otherwise affordable, highly competitive market.

The APCIA supports the legislation and believes in its current form it will set the Ohio P2P market on the right path toward growth and stability. There are two areas that could also be addressed in this or future legislation.

The first is the definition of “noncommercial motor vehicle,” Section 4516.01 (G), and its usage in the definition of “shared vehicle,” Section 4516.01 (L). This has the effect of excluding use of P2P platforms by commercial vehicle owners, which may not be how the platforms are being presented/used today, but could be a next generation P2P application and thus, as long as the insurance requirements are clear, this provision would need to be amended lest it limit use of the further economic opportunities these platforms provide. To remedy this, we would suggest that the

definition of 'noncommercial motor vehicle,' and the reference to "noncommercial" be stricken from the definition of "shared vehicle".

There is also an exception in Section 4516.09 (B) for the P2P on the assumption of liability for situations when the shared vehicle owner or shared vehicle driver have a material misrepresentation or conspired not to return the car. The provision could benefit from tightening-up to better protect innocent third parties. We would welcome the opportunity to work on that moving forward.

Thank you for the consideration of our perspective. We urge you and your colleagues to vote "YES" on SB 161.

Please contact me directly at 847-553-3678 or via email at jeffrey.junkas@acpi.org or APCIA's Ohio counsel, Steve Buehrer at 614-365-4107 or via email at buehrer@carpenterlipps.com with any questions.

Sincerely,



Jeffrey Junkas

cc: Steve Bueher, Sen. Hottinger, Sen. Dolan