

Enterprise Holdings – Peer-to-Peer Car Sharing Proposed Amendment
January, 2020

Sec. 1. 32 V.S.A. § 8902 is amended to read:

§ 8902. Definitions

(10) "Rental company" means:

(1) Any entity or person engaged in the business of facilitating or offering pleasure cars for rent on a short-term basis;

(2) The term does not include peer-to-peer vehicle owner who makes no more than three motor vehicles available for peer-to-peer vehicle sharing through peer-to-peer vehicle sharing program, or combination of programs, during a 12-month period.

(12) "Peer-to-peer vehicle sharing program" or "program" means a person or entity that connects peer-to-peer vehicle owners with peer-to-peer vehicle drivers to facilitate the sharing of peer-to-peer vehicles for consideration. Program is not a transportation network company as defined in 23 V.S.A. Chapter 10, § 750 (a)(4).

(13) "Peer-to-peer vehicle" or "vehicle" means a personal motor vehicle that is available for use through peer-to-peer vehicle sharing program for a sharing period of 30 days or less which is registered as a private passenger vehicle under the laws of this or another State.

(14) "Peer-to-peer vehicle driver" or "driver" means an individual who has been authorized to drive peer-to-peer vehicle by peer-to-peer vehicle owner under peer-to-peer vehicle sharing program agreement.

(15) "Peer-to-peer vehicle owner" or "owner" means the registered owner of peer-to-peer vehicle made available for sharing facilitated by peer-to-peer vehicle sharing program.

(16) "Vehicle rental transaction" means the transfer of possession of a motor vehicle, for consideration, without the transfer of ownership of the motor vehicle.

Sec. 2. 32 V.S.A. § 8903(d) is amended to read:

§ 8903. Tax imposed

There is hereby imposed a use tax on the rental charge of each ~~transaction~~ vehicle rental transaction, in which the renter takes possession of the vehicle in this State,

(1) during the life of a pleasure car purchased for use in short-term rentals, which tax is to be collected by the rental company from the renter, or

(2) the peer-to-peer vehicle sharing program from the peer-to-peer vehicle driver and remitted to the Commissioner.

The amount of the tax shall be nine percent of the rental charge. Rental charge means the total rental charge for the use of the pleasure car or peer-to-peer vehicle, but does not include a separately stated charge for insurance, or recovery of refueling cost, or other separately stated charges which are not for the use of the pleasure car. In the event of resale of the vehicle in this State for use other than short-term rental, such transaction shall be subject to the tax imposed by subsection (a) of this section.