

CIVIL LIABILITY INSURANCE FOR USERS OF PERSONAL TRANSPORT EQUIPMENT (PTE) AS AN ELEMENT OF PROTECTION FOR SHARING ECONOMY PARTICIPANTS

Iwona Laskowska* Stanisław Wieteska** Sławomir Juszczyk***



<https://doi.org/10.18778/2391-6478.1.37.04>

CIVIL LIABILITY INSURANCE FOR USERS OF PERSONAL TRANSPORT EQUIPMENT (PTE) AS AN ELEMENT OF PROTECTION FOR SHARING ECONOMY PARTICIPANTS

Abstract

The purpose of the article/hypothesis: In recent years, there has been a noticeable and dynamic development of micromobile equipment intended for the transport of people. These types of vehicles are known as personal transport equipment (PTE). Like any road vehicle, PTE can also cause numerous accidents and collisions. A natural consequence of damage related to the use of PTE is posing the question about securing the interests of the aggrieved parties. Considering the above, the aim of this paper is to present the role of civil liability insurance for users of personal transport equipment in the context of claims related to the use of this type of vehicles and to provide a brief description of insurance products available on the market. The paper presents the following thesis: although the regulations do not oblige PTE users to have a civil liability insurance policy, a wide catalogue of adverse events related to the PTE use requires the popularisation of insurance protection for users of this type of vehicles. Such insurance protection should cover: equipment users, renters, sellers, and operators, as well as households. **Methodology:** The paper is theoretical and analytical in its nature. In addition to the review of the available literature, the existing offer of voluntary insurance for PTE users is also analysed. **Results of the research:** Insurance addressed to users of personal transport equipment is a relatively new product on the market and still few insurance companies have it in their offer. PTE users can utilise their civil liability insurance often being part of their home insurance in their private life, which offers protection in the event of damage to third parties. One of the solutions leading to the dissemination of insurance protection could be a proposal of insurance tailored to the type of risk and short-term use associated with this kind of equipment (e.g. travel-type insurance). **Keywords:** insurance, sharing economy, civil liability, personal transport equipment, risk, micromobility. **JEL Class:** G22, G20, G52.

* Dr hab., prof. UŁ, Faculty of Economics and Sociology, Department of Insurance, University of Lodz, e-mail: iwona.laskowska@uni.lodz.pl, <https://orcid.org/0000-0002-1657-5541>.

** Prof. dr hab., Jan Kochanowski University in Kielce Branch in Piotrków Trybunalski, e-mail: s.wieteska@ujk.edu.pl, <https://orcid.org/0000-0002-6578-9861>

*** Prof. dr hab., Warsaw University of Life Sciences Institute of Economics and Finance e-mail: slawomir.juszczyk@sggw.edu.pl, <https://orcid.org/0000-0003-3790-6247>.

INTRODUCTION

The systematically increasing number of motor vehicles in cities and rural areas contributes to many unfavorable phenomena, especially in city centers, where congestion (traffic jams) and difficulties in getting to destinations arise. Communication difficulties and ecological considerations (Gatzert and Osterrieder, 2020) argue for supplementing traditional means of transport with alternative solutions. In recent years, there has been a noticeable dynamic development of micromobile equipment, such as electric scooters, electric skateboards and other equipment of similar design, equipped with an electric drive, intended for transporting people. These types of vehicles are referred to as personal transport equipment (PTE). They tend to be more environmentally friendly and take up less road space (Insurance Europe, 2019). The growing interest in micromobile vehicles is also influenced by the dissemination of the concept of the sharing economy, which is already contributing to changing many business models (Curtis, 2021; Laukkanen and Tura, 2020; Banaszek, 2016). The sharing economy is seen as a way to support sustainable consumption (Gupta and Chauhan, 2021).

Although personal transport equipment are becoming more and more available and popular, mainly among the inhabitants of large urban agglomerations, it should be emphasized that micromobile vehicles are not competition for other means of transport, but their complement, most often used to move on the first or last stage of the journey (Janczewski, 2019).

However, the use of personal transport equipment raises serious concerns regarding the safety of road users. Like any road vehicle, also PTE can cause numerous accidents and collisions. The regulations contained in the draft Act of March 30, 2021 amending the Act - Road Traffic Law and some other acts serve to improve safety related to the use of personal transport equipment. These proposals specify the definition of personal transport equipment, specify technical requirements and rules for their movement on the roads. The above issues are currently not yet regulated by law.

A natural consequence of the loss ratio related to the use of PTE is to raise the question of securing the interests of the injured parties (Insurance Europe, 2019). PTE users and operators need appropriate protection tailored to the risk involved. From a business perspective, the emergence of new forms of risk creates potential for the development of insurance addressed to individual users and companies. The issue of insurance of platforms and participants of the sharing economy as a major challenge that the insurance industry will face over the next decade is addressed in many studies (Gatzert and Osterrieder, 2020). In Poland, this problem is also noticed and considered increasingly important (PIU¹, 2019).

¹ Polish Insurance Association.

Bearing the above in mind, the aim of this study is to present important issues regarding third party liability insurance for users of personal transport equipment in the context of the loss ratio related to the use of such vehicles. The study presents basic information on PTEs, assesses the risk, and then presents an attempt to formulate a general framework for third party liability insurance for PTE users, along with a brief description of the insurance products available on the market.

The study was based on a review of the literature on the subject, legal acts and offers of selected insurance companies.

1. GENERAL CHARACTERISTICS OF PTE

The issue of the use of personal transport equipment is part of the widely discussed issue of electromobility, considered one of the key factors shaping the modern transport system (Gajewski et al., 2019). In particular, there is talk of micromobility as its element. Personal transport equipment (PTE) are used in many countries around the world, including Western Europe and North America. Since 2018, a rapid quantitative and qualitative development of these equipment has also been observed in Poland. Nevertheless, it has not been possible to develop a uniform definition of PTE so far. The International Light Electric Vehicles Organization (LEVO) defines a PTE as an electric and hybrid personal transport device typically weighing up to 100 kg. Examples of equipment of this type include: electric bicycle, electric scooter, segway, hoverboard/monowheel, electric skateboard, vehicle for the disabled, electric scooter (PIU, 2019). In the draft amendment to the Act - Road Traffic Law and some other acts, which is to regulate the legal situation of personal transport equipment, PTE is understood as *“an electrically driven vehicle, without a seat and pedals, structurally designed to be moved only by the driver on this vehicle (e.g. electric skateboard, electric self-levelling device)”*².

The most popular type of micromobile equipment are e-scooters³, hoverboards, segways, used, among others, by young people, airport employees, postmen, city policemen, hypermarket employees, golf course users, tourists visiting historic parts of cities. They are also useful in recreational areas. The basic advantages of PTE can be summarized as follows:

- allow you to move around traffic jams quite quickly;
- they are quiet, they do not emit exhaust fumes;

² www1.

³ It is worth noting that according to the provisions contained in the aforementioned amendment, the electric scooter will constitute a separate category of vehicles.

- they reduce the costs of public transport (tickets, ticket machines are not needed, their direct control is not required);
- it is possible to place them in the trunk of a car, which can be useful for the last leg of the final journey;
- they do not require parking spaces corresponding to the area of passenger cars;
- they are competitive to taxi corporations;
- they are not subject to approval, identification numbers, driving licenses;
- may be parked in places that do not interfere with pedestrian and road traffic at any time;
- they can be rented.

In turn, the disadvantages of using PTE include:

- need to recharge after driving several kilometers;
- potential for electric shock during misuse or recharging due to generally poor insulation;
- risk of a short-circuit of the installation, which may cause a fire;
- the need for regular maintenance, especially of brakes and audible signals.

A separate problem is the short-term life of this type of device. With the development of PTE, the problem of their recycling is growing (Śmietana and Otto, 2019). Local and municipal authorities in various cities in Poland react differently to the functioning of PTEs (Otto, 2019).

2. PTE MARKET IN POLAND AS AN ELEMENT OF THE SHARING ECONOMY

The development of the micromobile vehicle market is related to the electrification of the transport sector and the growing interest in the concept of sharing economy, based on the assumption of better use of resources through sharing, transfer, making available, exchanging or sharing products (Knauf, 2018). The main goal of the sharing economy is to shift from ownership to access (Banaszek, 2016). The sharing economy is considered an important direction in thinking about the future of cities (Kozłak, 2020), it is the subject of numerous scientific studies (e.g. Belk, 2014; Kathan et al., 2016; Habibi et al., 2017).

The subject of the sharing transaction is an open catalog that dynamically changes and adapts to human needs. One of its areas is mobility (Novikova, 2017; Le Vine and Polak, 2015), of which electromobility is a part (Shaheen and Chan, 2016).

For the dynamic development of personal transport equipment, which are often also referred to as shared vehicles contributed to the popularization of the electric drive and the development of sharing platforms. Changes in the number of selected shared vehicles before the COVID-19 pandemic are presented in Chart 1.

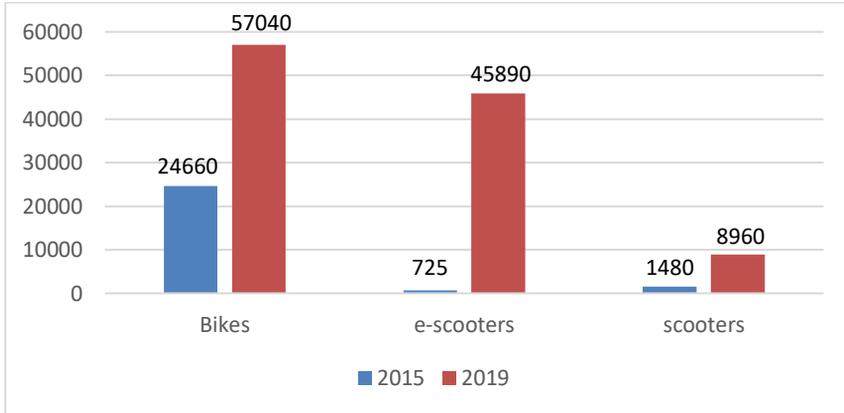


Chart 1. Number of selected shared vehicles before the COVID-19 pandemic.

Source: own study based on Duszczyk, 2019a.

According to the presented data, the market of shared vehicles in Poland was characterized by high dynamics, especially in the field of e-scooters and scooters. Bicycles, however, remained the most popular form. The value of the market for shared scooters and scooters in relation to the market for shared bicycles is presented in Table 1.

Table 1. General characteristics of the PTE market in Poland before the COVID-19 pandemic (as of 30.06.2019)

Specification	Number of cities	Number of potential users (million people)	Number of registered users (thousands)	Market value (million PLN)
Bikes	67	11,1	2200	92,9
e-scooters	9	9,8	220	57,2
scooters	18	7,6	310	15,7

Source: Duszczyk, 2019a.

The growing popularity of city bikes in Poland allowed us to assume that we should also expect an increase in the popularity of e-scooter rentals, as well as

other PTEs. The quantity of e-scooters in the largest cities in Poland is presented in Table 2.

Table 2. The quantity of e-scooters in Poland before the COVID-19 pandemic (2019)

Cities	Number of vehicles	Number of operators
Warszawa	4573	5
Wrocław	583	3
Poznań	1211	2
Trójmiasto	660	3
Kraków	137	2
Łódź	49	1

Source: Duszczyk, 2019b.

Companies such as Uber Movement expanded their offer with application services for e-scooters (Duszczyk, 2019d). The research conducted among PTE network operators before the pandemic showed that their aspirations are as follows (Duszczyk, 2019c):

- expanding the current fleet (86% of respondents),
- expanding the fleet with new types of vehicles (85% of respondents),
- entering other cities (64% of respondents),
- replacement of the fleet with a new one (46% of respondents).

The COVID-19 pandemic has had inevitable consequences for every sphere of economic activity, resulting from a number of restrictions introduced. In the case of micromobility, the restrictions concerned the demand side (numerous restrictions and low mobility of residents) and the supply side (the pandemic limited the development of suppliers) (Jędrzejewski, 2020). Despite the restrictions in force, according to research conducted in 2020, the pandemic has not managed to stop the development of the shared vehicle industry, especially e-scooters. Both the number of vehicles and the number of towns where they are available has increased. These vehicles move not only in the largest Polish cities, but often also in medium-sized and smaller cities, often in tourist destinations. The supply of shared e-scooters in 2020 increased significantly and accounted for 95 percent of the supply of shared bicycles. Also, the “per minute” electric scooter market in 2020 was stable (Jędrzejewski, 2020).

It follows that PTE vehicles permanently fit into the transport systems of cities. It is worth mentioning that the Association of Users of Personal Transport Devices was established, focusing on their dissemination and supporting users of these devices. The dynamics of changes in the use of PTEs will probably be influenced by the creation of the Low-Emission Transport Fund, whose tasks

include financing projects related to the development of electromobility. From a business perspective, it is an area that can drive economic development through production, sales credits, safe use courses and insurance.

3. POTENTIAL HAZARDS ASSOCIATED WITH THE USE OF PTE

Like any vehicle on the road, PTEs also pose numerous risks. Pedestrians on sidewalks and pedestrian crossings complain about these vehicles. The fast and quiet ride of the devices surprises the pedestrian, which leads to accidents, damage to property and serious hit-and-runs of children led by adults. There are also collisions with people driving animals. Driving fast is a potential possibility of hitting lamps, poles, advertisements, road signs, benches and other devices on the sidewalks.

In the case of congested streets, moving on PTE among other vehicles may cause scratches to the bodywork, damage to mirrors, car bumpers, etc. Uncontrolled road entries may result in collisions with motor vehicles. It is a risk to drive a PTE in bad weather conditions, e.g. fog, storms, icy roads, torrential rain, snow, frost, strong winds. The use of PTE in such circumstances poses a threat not only to the user himself, but also to third parties. In addition, unevenness on the pavement, curbs, potholes can cause accidents. The use of PTE at night poses an additional threat to people, their property and health.

A very serious threat is fast, reckless driving, in particular the use of PTE by hyperactive youth or those left without the care of parents and guardians. Many controversies are caused by the use of PTE under the influence of alcohol and drugs (Szymaniak, 2019). Such cases are a potential threat and should be severely punished.

The risk of a collision is increased by facts such as accelerated driving on bicycle paths with a large incline. Also, driving in compact buildings (often historic buildings), narrow streets and sidewalks (e.g. in Krakow) can contribute to a higher accident rate. Very often in city centers and parks there are separate zones only for pedestrian traffic. The use of these zones by PTE users poses an additional risk of collision.

In practice, the most important events involving e-scooters are: accidents involving only scooters and third parties (70%), collision with road infrastructure (11%) and collisions with other vehicles (28%). It is worth noting that victims of collisions with speeding e-scooters are brought to hospitals all over Poland every day (Śmietana, 2019). The most common injuries resulting from accidents on e-scooters are: bone fractures (40%), head injuries (32%), cuts and sprains (28%) (Duszczuk, 2019b).

The issue of parking e-scooters is controversial (Łukaszewicz, 2019a and 2019b). In many cities, we encounter e-scooters abandoned on sidewalks, bicycle paths, blocking pedestrian traffic. Abandoned PTEs cause barriers for the blind as well as difficulties for people with disabilities.

An important aspect of the issue is that poor technical condition of the PTE, deficiencies in brakes, lighting, other identification signs can cause accidents. Doubts arise when using these devices by elderly drivers. It is worth emphasizing that these devices are relatively expensive, hence the cases of their theft are also an important problem.

In Poland, as in most other EU countries, the person driving a personal transport device bears civil liability under general rules for damage caused (Skibińska, 2019). It should be borne in mind that manufacturers and rental companies may also be liable, as the borrower is responsible for the technical condition of the micro-vehicle.

Analyzing this issue, it can be concluded that micromobile vehicles are gaining more and more popularity. Speed, recklessness, lack of separate driving lanes may result in damage, property and financial losses. A natural consequence of the growing loss ratio by PTEs is the question of securing the interests of the injured parties. Research conducted in 2019 using the method of direct interviews in the homes of respondents showed that approx. 45% of respondents believe that drivers of e-vehicles should have voluntary third party liability insurance⁴.

4. OUTLINE OF GENERAL ASSUMPTIONS OF CIVIL LIABILITY INSURANCE OF PTE USERS

Although the government's bill does not regulate the insurance of PTE users, the considerations so far indicate that there is a need to cover them with insurance. Such insurance should cover the third party liability of users, including people using these devices, regardless of age and gender, and rentals from equipment operators. The subject of insurance should be the civil liability of PTE users for damage caused in connection with their use, regardless of place and time. We are talking here about damages caused by the movement of these devices and their parking in an organized and unorganized manner. This may also apply to damages caused unintentionally, accidentally, fortuitously or resulting from an error in their use. Civil liability for using PTEs in extreme weather conditions should be considered. The scope of insurance cover should exclude damage caused by willful misconduct, related to the use of PTE under the influence of alcohol or drugs. Damage caused as a result of criminal activity should also be excluded from civil liability.

⁴ Użytkownicy e-hulajnog gotowi na OC, „Gazeta Ubezpieczeniowa”, 22-28 lipca 2019 r.

The freedom to enter into an insurance relationship remains an open question. The introduction of compulsory insurance similar to motor third party liability insurance is a costly undertaking and, what is more, it requires changes in many legal provisions. Each new compulsory third-party liability insurance introduced by the legislator should, *inter alia*, guarantee the effectiveness of the obligation fulfillment control. With no obligation to register PTE devices, it is impossible to enforce the obligation to insure (Orlicki, 2019).

A reasonable solution at the current stage of PTE development could be the popularization of voluntary insurance dedicated to PTE users or third-party liability insurance for owners of these devices, as an additional option in various insurance products, providing protection against the financial consequences of damage caused to third parties by the insured and his immediate family, as well as by persons with whom the policyholder maintains a household.

The limit of the insurance company's financial liability is determined by the guarantee sum. It is the amount specified in monetary units by the insurance company or by agreement between the insurance company and the policyholder. The insurance company is obliged to inform the aggrieved party or the beneficiary about the possibility of exhaustion of the guaranteed sum specified in the contract if the total amount of claims, benefits and the created provision exceeds 80% of its amount. The amount of the guarantee sum is a debatable value in the initial phase of introducing insurance to the practice of PTE entities and results from the potential damage that PTEs may cause.

The guaranteed sum is the basis for calculating the insurance premium. In §22 of the Act of 11 September 2015 on insurance and reinsurance activity (Journal of Laws of 2015, item 1844), the legislator formulated only general rules related to the method of its calculation. According to Article 33 section 1 of the Act on insurance and reinsurance activity, the insurance company determines the amount of premiums based on its own insurance risk assessment. A clearly defined catalog of potential damages, their amount and frequency of occurrence is the basis for the creation of specific technical provisions. It is understandable that, in accordance with the principle of equivalence, the insurance company is forced to determine the amount of insurance premiums in such a way as to be convinced with a high probability (usually exceeding 95%) that they will cover all damages and operating costs arising from concluded insurance contracts. A fundamental parameter for insurance tariffs is the determination of the annual probability (frequency of claims) based on reliable statistical data. This task is difficult when a new insurance product is introduced. In practice, this amounts to determining the likely annual frequency of claims. Most often, the insurance company does not have such data, and besides, it is not possible to obtain them from, for example, official statistics or other institutions. Despite legal acts on

disclosing economic information being in force⁵, there are still difficulties in obtaining data for the purposes of calculating insurance tariffs. In such circumstances, insurance companies use the concept of subjective probability, which is determined by their own experience or expert opinions, while creating provisions for exceptional risks. Pursuant to Article 33 section 3 of the Act on insurance and reinsurance activity, the insurance company is obliged to collect data on the amount of claims and benefits as well as the costs of their adjustment. It is worth emphasizing here that the amount of the insurance premium cannot hinder (from the economic point of view) the work of insurance intermediaries, nor should it radically increase the price of insurance cover. Importantly, it should also comply with the principles of fair competition.

Another important aspect of the insurance under consideration is the loss adjustment process (a potential catalog of them is listed in point 3). The list of potential damages and the specific behavior of PTE users show that the majority of damages may be minor. Therefore, it is acceptable to use a simplified procedure for their liquidation. However, there may be more serious events (e.g. traffic collisions) where the procedures applicable to compulsory third party liability insurance of motor vehicle owners should be adopted. Therefore, there is a need for claims handling by persons with appropriate qualifications, experience and knowledge of the nature of claims generated by PTE users. Loss adjusters are obliged to determine the causes and circumstances of the loss, determine its size as well as their valuable valuation and documentation in such a way that both parties to the insurance contract are satisfied. It is worth emphasizing that the task of claims adjusters is also to prevent insurance fraud.

5. PTE CIVIL LIABILITY INSURANCE AS A NEW PRODUCT ON THE INSURANCE MARKET

The growing number of PTE vehicles and the associated risks indicate the need for insurance companies to join in with a new insurance product that allows for the transfer of risk from the client to the insurer.

As you can easily see, it is an insurance product protecting a social group with risky behavior, belonging to the 2nd group of property and personal risks with a 12-month period of insurance cover. The introduction of the insurance in question is not a one-time decision, but a long-term, strategic decision. The strategy of introducing the insurance product in question should be coordinated with other conditions (products) and prices of insurance cover. An important element for the product in question is the monthly observation of the behavior of all technical and economic parameters (premiums, number of insured persons, number and value

⁵ Announcement of the Marshal of the Sejm of the Republic of Poland of 24 May 2014 on the announcement of the consolidated text of the Act on Disclosure of Economic Information and Exchange of Economic Data (Journal of Laws of 2014, item 1015, as amended).

of claims). Ongoing observation of the above-mentioned parameters by the insurance company will allow for the rational shaping of the content of the general insurance conditions.

According to the proposals presented by the Polish Insurance Association, risk insurance cover for alternative means of transport may be related to individual insurance, corporate insurance and existing motor insurance. Individual insurance covers the risk of damage to the health or property of a third party (civil liability of the user of the alternative means of transport for the vehicle owner or during the rental of the vehicle) and the risk of damage to the health of the user (consequences of personal accidents of the user of the alternative means of transport or during the rental of the vehicle). The corporate insurance group includes insurance of the risk of damage to health or property of the user or third parties (civil liability of a corporation that rents alternative means of transport) and the risk of theft or damage to the vehicle (civil liability for the rental company). Existing motor insurance may, however, mitigate the effects of the risk of damage to the health or property of users of alternative means of transport, e.g. being hit by a cyclist by a car (mandatory liability insurance for motor vehicle owners) (PIU, 2019)

Some insurance companies responded to market demand in this regard and decided to introduce voluntary insurance coverage for PTE users. Users of personal transport devices may take advantage of their third party liability insurance in private life, concluded mainly with insurance of houses and flats, constituting security in the event of damage to third parties. On the other hand, own damages can be covered by accident insurance: individual, family or school.

Different companies have a slightly different civil liability insurance package, which translates into a different scope of protection, as well as the maximum amount of compensation and premium. Examples of insurance premiums are presented in table 3.

Table 3. Costs of housing insurance including PTE insurance

Insurance Company	Housing policy with third party liability insurance in private life (in PLN)	Housing policy with civil liability insurance in private life and burglary insurance (in PLN)
Proama	248	277
Generali	257	285
Mtu24.pl	266	526
Link4	286	404
Inter Polska	315	800

Source: www2.

The supplement in the form of civil liability insurance in private life for scooter owners and users costs several dozen zlotys per year. The policy for PTE users can be an addition to the motor policy or it can be an independent insurance product (Drozdalski, 2021). Most often, these types of policies include equipment insurance, liability insurance, theft and accident insurance. Insurance dedicated to owners of personal transport devices is a relatively new product on the market and not many insurance companies offer it yet.

SUMMARY

Insurance of users of personal transport devices is not obligatory. Unlike drivers of cars or motorcycles, the regulations do not oblige PTE drivers to have a motor third party liability insurance.

The dynamic development of the PTE market and the wide catalog of adverse events related to the use of personal transport devices argue for the popularization of third-party liability insurance in private life, covering liability for damages resulting from the use of personal transport devices. The scope of insurance cover should include: users, renters of equipment, sellers, operators and households.

The development of alternative means of transport is a challenge for insurance companies in terms of offering insurance solutions tailored to the needs of users.

Currently, there are still few insurance products dedicated to PTE users. Most often it is a combination of liability insurance and accident insurance. One of the solutions is to propose insurance tailored to the type of risk and the short time of using the equipment (e.g. only using of PTE insurance).

BIBLIOGRAPHY

- Act of 11 September 2015 on insurance and reinsurance activity (Journal of Laws of 2015, item 1844).
- Banaszek M. (2016), Sharing economy as an alternative direction of urban development, "Social Economy", No. 1/2016, <http://dx.doi.org/10.15678/ES.2016.1.04>
- Belk R. (2014), You are what you can access: sharing and collaborative consumption, Online Journal of Business Research, pp. 1595-1600, <https://doi.org/10.1016/j.jbusres.2013.10.001>
- Curtis S. (2021), Business model patterns in the sharing economy, Sustainable Production and Consumption, Vol. 27, <https://doi.org/10.1016/j.spc.2021.04.009>
- Drozdalski L. (2021), Scooter insurance, <https://rankomat.pl/nieruchomosci/ubezpieczenie-hulajnogi> [Accessed: 02.04.2021].

- Duszczyk M. (2019a), Vehicles for minutes will flood Polish cities, "Rzeczpospolita", July 17, 2019.
- Duszczyk M. (2019b), New regulations will kill the business on scooters, "Rzeczpospolita", August 12, 2019.
- Duszczyk M. (2019c), There are already the first victims of the fierce scooter war, "Rzeczpospolita", September 6, 2019.
- Duszczyk M. (2019d), Bus and scooter combined in one application, "Rzeczpospolita", December 12, 2019.
- Gajewski J., Paprocki W., Pieriegud J. (2019), Electromobility in Poland against the background of European and global trends, CeDeWu, Warsaw.
- Gatzert N., Osterrieder K. (2020), The future of mobility and its impact on the automobile insurance industry, "Risk Management and Insurance Review", Wiley, <https://doi.org/10.1111/rmir.12140>
- Gupta P., Chauhan S. (2021), Mapping intellectual structure and sustainability claims of sharing economy research – a literature review, Sustainable Production and Consumption, Volume 25, pp. 347-362, <https://doi.org/10.1016/j.spc.2020.09.006>
- Habibi, M. R., Davidson, A., Laroche, M. (2017), What managers should know about the sharing economy. Business Horizons, pp. 113–121, <https://doi.org/10.1016/j.bushor.2016.09.007>.
- Insurance Europe (2019), Insuring mobility — today and tomorrow, <https://www.insuranceeurope.eu/mediaitem/d51c959d-3b94-4a20-8abc-7ee7406babd0/Insuring%20mobility%20%E2%80%94%20today%20and%20tomorrow.pdf> [Accessed 06.04.2021].
- Janczewski J. (2019), Micromobility - selected problems, "Innovative management in economy and business", No. 1(28)/2019, https://doi.org/10.25312/2391-5129.28/2019_09jj
- Jędrzejewski A. (2020), Micromobility did not succumb to the pandemic, https://smartride.pl/Strefa_Danych/sharingowa-mikromobilnosc-nie-poddala-sie-pandemii-pisze-adam-jedrzejewski/ [Accessed: 29.08.2021]
- Kathan W., Matzler K., Veider V. (2016), The sharing economy: your business model's friend or foe? Business Horizons, pp. 663-672, <https://doi.org/10.1016/j.bushor.2016.06.006>.
- Knauf S. (2018), Sharing economy as a tool for creating a smart city, Scientific Papers of the Silesian University of Technology, series: Organization and Management, issue 120, p. 145.
- Koźlak A. (2020), The relationship between the concepts of sharing economy and smart cities: the case of shared mobility and smart transport, International Journal of Sustainable Society, Vol. 12, No. 2, <https://doi.org/10.1504/IJSSOC.2020.107894>
- Laukkanen M., Tura N. (2020), The potential of sharing economy business models for sustainable value creation, Journal of Cleaner Production, Volume 253, <https://doi.org/10.1016/j.jclepro.2020.120004>
- Le Vine, S., Polak, J. (2015), Introduction to special issue: new directions in shared-mobility research. Transportation 42, pp. 407–411, <https://doi.org/10.1007/s11116-015-9603-4>.

- Łukaszewicz A., 2019a, Cities have to deal with e-scooters themselves, *Rzeczpospolita*, October 1, 2019.
- Łukaszewicz A., 2019b, The user will pay for the abandoned scooter, "Rzeczpospolita", October 21, 2019.
- Novikova O. (2017), *The Sharing Economy and the Future of Personal Mobility: New Models Based on Car Sharing*, *Technology Innovation Management Review*, Vol. 7, Issue 8.
- Announcement of the Marshal of the Sejm of the Republic of Poland of 24 May 2014 on the announcement of the consolidated text of the Act on Disclosure of Economic Information and Exchange of Economic Data (Journal of Laws of 2014, item 1015, as amended).
- Orlicki M. (2019), Civil liability resulting from the use of personal transport equipment and its insurance, "Prawo Asekuracyjne", No. 4/2019 (101).
- Otto P. (2019), Cities are trying to tame scooters themselves, "Dziennik Gazeta Prawna", June 24, 2019.
- Polish Insurance Association (2019), New urban mobility - What does it mean for insurance?, https://piu.org.pl/wp-content/uploads/2021/03/Nowa-miejaska-mobilnosc_coznacza-dla-ubezpieczen.pdf [Accessed: 07.04.2021].
- Shaheen S., Chan, N. (2016), Mobility and the Sharing Economy: Potential to Overcome First- and Last-Mile Public Transit Connections, UC Berkeley Transportation Sustainability Research Center, <https://doi.org/10.7922/G2862DN3>
- Skibińska R. (2019), It's better on an electric scooter with the OC policy, "Rzeczpospolita", March 21, 2019.
- Szymaniak P. (2019), A dispute about drunks on one leg, "Dziennik Gazeta Prawna", June 24, 2019.
- Śmietana K. (2019), City: do not allow e-scooters on the sidewalks, "Dziennik Gazeta Prawna", September 9, 2019.
- Śmietana K., Otto P. (2019) Elektryczne hulajnogi wcale nie takie eko, „Dziennik Gazeta Prawna” 29 maja 2019 r.
- Użytkownicy e-hulajnóg gotowi na OC, „Gazeta Ubezpieczeniowa”, 22-28 lipca 2019 r. (www1) <https://www.gov.pl/web/infrastruktura/nowe-przepisy-dotyczace-hulajnog-eletric-i-urzaden-transportu-osobistego> [Accessed: 08.04.2021].
- (www2) <https://rankomat.pl/nieruchomosci/ubezpieczenie-hulajnogi> [Accessed: 09.04.2021].

UBEZPIECZENIE ODPOWIEDZIALNOŚCI CYWILNEJ UŻYTKOWNIKÓW URZĄDZEŃ TRANSPORTU OSOBISTEGO (UTO) JAKO ELEMENT OCHRONY UCZESTNIKÓW *SHARING ECONOMY*

Streszczenie

Cel/hipoteza: W ostatnich latach zauważalny jest dynamiczny rozwój urządzeń mikromobilnych, przeznaczonych do transportu osób. Tego rodzaju pojazdy określa się mianem urządzeń transportu osobistego (UTO). Jak każdy pojazd drogowy, także i UTO mogą powodować liczne wypadki i kolizje. Naturalną konsekwencją szkodowości związanej z wykorzystaniem UTO jest postawienie pytania o zabezpieczenie interesów poszkodowanych. Mając powyższe na uwadze za cel niniejszego opracowania przyjęto przybliżenie roli ubezpieczeń od odpowiedzialności cywilnej użytkowników urządzeń transportu osobistego w kontekście szkodowości związanej z użytkowaniem tego rodzaju pojazdów oraz krótką charakterystyką dostępnych na rynku produktów ubezpieczeniowych. W pracy postawiono tezę: mimo iż przepisy nie zobowiązują kierujących UTO do posiadania polisy komunikacyjnej OC, szeroki katalog niekorzystnych zdarzeń związanych z użytkowaniem urządzeń transportu odpowiednio wymaga upowszechnienia ochrony ubezpieczeniowej użytkowników tego rodzaju pojazdów. W polu ochrony ubezpieczeniowej powinni się znaleźć: użytkownicy, wypożyczający sprzęt, sprzedawcy, operatorzy a także gospodarstwa domowe.

Metodyka: Opracowanie ma charakter teoretyczno-analityczny. Obok przeglądu dostępnej literatury przeanalizowano również dostępną na rynku ofertę dobrowolnych ubezpieczeń adresowanych do użytkowników UTO.

Wnioski z badań: Ubezpieczenie dedykowane posiadaczom urządzeń transportu osobistego jest stosunkowo nowym produktem na rynku i jeszcze niewiele towarzystw ubezpieczeniowych posiada je w swojej ofercie. Użytkownicy urządzeń transportu osobistego mogą korzystać z posiadanych ubezpieczeń odpowiedzialności cywilnej w życiu prywatnym, zawieranych głównie przy ubezpieczeniach domów i mieszkań, stanowiącym zabezpieczenie na wypadek wyrządzenia szkody osobom trzecim. Jednym z rozwiązań prowadzących do upowszechnienia ochrony ubezpieczeniowej mogłaby być propozycja ubezpieczeń dostosowanych do rodzaju ryzyka oraz krótkiego charakteru użytkowania sprzętu (np. ubezpieczeń na czas przejazdu).

Słowa kluczowe: ubezpieczenia, ekonomia współdzielenia, odpowiedzialność cywilna, urządzenia transportu osobistego, ryzyko, mikromobilność.

Kody JEL: G22, G20, G52.

Zakończenie recenzji/ End of review: 24.01.2023

Przyjęto/Accepted: 18.03.2023

Opublikowano/Published: 27.03.2023