

## Article - Insurance

[Previous][Next]

§19–517.

(a) (1) In this section the following words have the meanings indicated.

(2) “Transportation network company” has the meaning stated in § 10–101 of the Public Utilities Article.

(3) “Transportation network operator” has the meaning stated in § 10–101 of the Public Utilities Article.

(4) “Transportation network services” has the meaning stated in § 10–101 of the Public Utilities Article.

(b) Insurance required under § 10–405 of the Public Utilities Article shall be deemed to satisfy the financial responsibility requirement for a motor vehicle under §§ 19–505 and 19–509 of this article and Title 17, Subtitle 1 of the Transportation Article.

(c) (1) An authorized insurer that writes motor vehicle liability insurance in the State may exclude any and all coverage and the duty to defend afforded under an owner’s or operator’s personal motor vehicle insurance policy for any loss or injury that occurs while the vehicle operator is providing transportation network services.

(2) A motor vehicle insurer that defends or indemnifies a claim against a driver for which coverage is excluded under the terms of its policy shall have a right of contribution against other insurers that provide insurance to the same driver in satisfaction of the requirements of § 10–405 of the Public Utilities Article at the time of the loss.

(3) Nothing in this section or § 10–405 of the Public Utilities Article shall be deemed to invalidate or limit an exclusion contained in a policy, including any policy in use or approved for use before July 1, 2015, that excludes coverage for motor vehicles that are used to transport passengers or property for a charge or are available for hire by the public.

(4) The right to exclude coverage and the duty to defend under paragraph (1) of this subsection applies to any coverage included in a motor vehicle liability insurance policy, including:

- (i) liability coverage for bodily injury and property damage;
- (ii) uninsured and underinsured motorist coverage;
- (iii) medical payments coverage;
- (iv) personal injury protection coverage;

- (v) comprehensive physical damage coverage; and
- (vi) collision physical damage coverage.

(5) If a motor vehicle insurer excludes coverage for providing transportation network services, the motor vehicle insurer shall provide written notice to the named insured stating that the policy excludes coverage for providing transportation network services:

(i) for a policy initially purchased on or after January 1, 2016, at the time of issuance; and

(ii) for a policy in force before January 1, 2016, at the time the policy first renews after January 1, 2016.

(d) (1) Nothing in this section or § 10–405 of the Public Utilities Article:

(i) may be construed to require a personal motor vehicle insurance policy to provide primary or excess coverage; or

(ii) implies or requires that a personal motor vehicle insurance policy provide coverage while the vehicle operator is providing transportation network services.

(2) Coverage under a motor vehicle insurance policy maintained by a transportation network company may not be dependent on a personal motor vehicle insurer first denying a claim, nor may a personal motor vehicle insurance policy be required to first deny a claim.

(3) Nothing in this section or § 10–405 of the Public Utilities Article precludes a motor vehicle insurer from providing coverage for an operator’s motor vehicle while the operator is providing transportation network services if the motor vehicle insurer elects to do so by contract or endorsement.

[Previous][Next]