C4 0lr0883

By: Delegates C. Watson and Dumais

Introduced and read first time: January 20, 2020

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2

Private Passenger Automobile Insurance - Use of Vehicle Telematics

3 FOR the purpose of authorizing an insurer that issues, sells, or delivers private passenger 4 automobile insurance policies in the State to use data obtained through vehicle 5 telematics from a specific vehicle only for establishing an insurance premium for a 6 policy that insures that vehicle and if the vehicle owner consents to the data 7 collection and sharing, or for claims investigation; prohibiting an insurer that issues, 8 sells, or delivers private passenger automobile insurance policies in the State from 9 selling data obtained through vehicle telematics to another person or providing data obtained through vehicle telematics to another person for consideration; defining 10 11 "vehicle telematics"; and generally relating to the use of data obtained through 12 vehicle telematics by private passenger automobile insurers in the State.

- 13 BY adding to
- 14 Article Insurance
- 15 Section 27–908
- 16 Annotated Code of Maryland
- 17 (2017 Replacement Volume and 2019 Supplement)
- 18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
- 19 That the Laws of Maryland read as follows:
- 20 Article Insurance
- 21 **27–908.**
- 22 (A) IN THIS SECTION, "VEHICLE TELEMATICS" MEANS A METHOD OF 23 COLLECTING AND SHARING DATA REGARDING A VEHICLE OR DRIVER USING
- 24 RECORDING SENSORS IN THE VEHICLE, A TELECOMMUNICATIONS DEVICE FOR
- 25 TRANSMITTAL OF THE DATA, AND A SECURED SERVER TO STORE THE DATA, WHICH

- 1 MAY INCLUDE VEHICLE SPEED, LOCATION, MILEAGE, AND OPERATING HOURS;
- 2 DRIVER ACCELERATION, BRAKING, AND CORNERING HABITS; AND ENGINE
- 3 DIAGNOSTICS.
- 4 (B) AN INSURER THAT ISSUES, SELLS, OR DELIVERS PRIVATE PASSENGER 5 AUTOMOBILE INSURANCE POLICIES IN THE STATE:
- 6 (1) MAY USE DATA OBTAINED THROUGH VEHICLE TELEMATICS FROM 7 A SPECIFIC VEHICLE ONLY:
- 8 (I) 1. FOR ESTABLISHING AN INSURANCE PREMIUM FOR 9 THE POLICY THAT INSURES THAT VEHICLE; AND
- 2. IF THE VEHICLE OWNER CONSENTS TO THE DATA COLLECTION AND SHARING; OR
- 12 (II) FOR CLAIMS INVESTIGATION;
- 13 (2) MAY NOT SELL DATA OBTAINED THROUGH VEHICLE TELEMATICS 14 TO ANOTHER PERSON; AND
- 15 (3) MAY NOT PROVIDE DATA OBTAINED THROUGH VEHICLE 16 TELEMATICS TO ANOTHER PERSON FOR CONSIDERATION.
- SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2020.