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**By: Delegate Pendergrass**

Requested: August 30, 1996

Introduced and read first time: January 8, 1997

Assigned to: Economic Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **Automobile Insurance - Uninsured Motorists - Defense by Carrier**

3 FOR the purpose of prohibiting an automobile insurance carrier from entering a defense  
4 on behalf of an uninsured motorist against the carrier's insured motorist; and  
5 providing for the application of this Act.

6 BY adding to

7 Article - Insurance

8 Section 19-511.1

9 Annotated Code of Maryland

10 (1996 Volume)

11 (As enacted by Chapter 11 of the Acts of the General Assembly of 1996)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
13 MARYLAND, That the Laws of Maryland read as follows:

14 **Article - Insurance**

15 19-511.1.

16 (A) IN AN ACTION FOR DAMAGES IN CIVIL COURT BROUGHT BY AN INSURED  
17 AGAINST AN INSURER ARISING UNDER THE INSURED'S UNINSURED MOTORIST  
18 COVERAGE OR AGAINST AN UNINSURED MOTORIST, THE INSURER MAY NOT ENTER  
19 A DEFENSE OR INTERVENE ON BEHALF OF THE UNINSURED MOTORIST.

20 (B) THIS SECTION DOES NOT PREVENT AN INSURER FROM OTHERWISE  
21 RAISING A DEFENSE ON ITS OWN BEHALF RELATED TO THE EXISTENCE OR AMOUNT  
22 OF A CLAIM.

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
24 October 1, 1997.