

Department of Legislative Services
Maryland General Assembly
2011 Session

FISCAL AND POLICY NOTE

House Bill 125

(Delegate Stukes, *et al.*)

Environmental Matters

Judicial Proceedings

Vehicle Laws - Accidents Involving Self-Insured Vehicles - Required Information

This bill requires the driver of a vehicle that is self-insured to provide evidence of the self-insurance to other specified persons involved in, or attending to, a vehicle accident in the same manner as other insurance information must be exchanged. The Motor Vehicle Administration (MVA) must adopt regulations that establish the form and content of the required self-insurance and that require each self-insurer to maintain the evidence of self-insurance in each vehicle covered by the self-insurance certificate.

Fiscal Summary

State Effect: The bill does not materially affect State finances as each State agency vehicle fleet covered by a State self-insurance policy can ensure, with existing budgeted resources, that all affected vehicles are provided with written evidence of the self-insurance in accordance with the bill's regulations. Likewise, MVA can undertake the development and adoption of regulations with existing resources.

Local Effect: Local government expenditures may increase negligibly for jurisdictions with self-insured vehicle fleets. Any fiscal or operational impact can likely be handled with existing staff and resources.

Small Business Effect: Minimal impact on small businesses with self-insured vehicle fleets.

Analysis

Bill Summary: The MVA regulations adopted must require the evidence of self-insurance to include (1) the name, address, and self-insurance certificate number of the self-insurer; (2) the name, address, and telephone number of the self-insurer's

third-party administrator or third-party adjuster; and (3) the vehicle identification number of the self-insured vehicle.

Current Law: State motor vehicle regulations permit coverage of a vehicle through various classes of self-insurance. The class of self-insurance is dependent on the type of entity providing the insurance. However, any self-insurance policy must provide the same benefits as any other form of required security under the Maryland Vehicle Law, and each self insurer must file an application for Maryland self-insurance annually accompanied by a nonrefundable actuarial fee, a security of a type and amount acceptable to MVA, and a listing of covered vehicles.

The driver of a vehicle involved in an accident that results in bodily injury or death, or damage to property, must provide their name, address, and the registration number of the vehicle involved, and, on request, exhibit the license to drive to any person injured in the accident, the driver or occupant of the vehicle, a person attending any vehicle or other property damaged in the accident, and a police officer investigating the accident.

The driver of a vehicle involved in an accident that results in damage to an unattended vehicle or other unattended property must attempt to locate the driver, owner, or person in charge of the damaged vehicle or other property to provide notification of the driver's name and address, the registration number of the vehicle involved, and the name and address of the owner of that vehicle.

In either form of accident described above, the driver must also provide information regarding the name and address of the insurance carrier or other provider of security, policy or other identifying number of the insurance or other security, and name and address of the local insurance producer or local office of the insurance carrier or other provider of security, if it is available.

Additional Information

Prior Introductions: HB 1516 of 2010 received a hearing in the House Environmental Matters Committee, but no further action was taken. Its cross file, SB 1118, was referred to the Senate Judicial Proceedings Committee, but no further action was taken on it.

Cross File: None.

Information Source(s): Allegany, Harford, Montgomery, and Talbot counties; Baltimore City; Department of Budget and Management; Department of General Services; Maryland Insurance Administration; Maryland Automobile Insurance Fund; Maryland Department of Transportation; Department of Legislative Services.

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