

Department of Legislative Services
Maryland General Assembly
2011 Session

FISCAL AND POLICY NOTE

House Bill 1058
Economic Matters

(Delegates Braveboy and Harrison)

Transportation - Required Security - Rental Vehicles

This bill extends to rental vehicles the application of existing requirements regarding required security coverage of replacement vehicles and the disclosure of this coverage to individuals who are loaned replacement vehicles.

Fiscal Summary

State Effect: The bill pertains primarily to private-sector activities; however, special fund revenues may increase negligibly in FY 2012 only for the Maryland Insurance Administration (MIA) to the extent that the bill results in the collection of any additional \$125 rate form and filing fees associated with the revision of rental vehicle company insurance policies. The review of any rate filings can be handled within existing MIA resources.

Local Effect: None.

Small Business Effect: Potential meaningful beneficial impact on small business vehicle rental companies to the extent the bill results in a reduction in the cost of maintaining required security for rental vehicles. Potential meaningful impact on small business providers of insurance policies and other forms of required security for rental vehicles.

Analysis

Current Law: A “replacement vehicle” is defined as a vehicle that is loaned by an auto repair facility or a dealer, or that an individual rents temporarily, to use while a vehicle owned by the individual is not in use because of breakdown, repair, service, damage, or some other reason described in the individual’s insurance policy.

The owner of a replacement vehicle may satisfy the requirement to maintain required security under the Maryland Vehicle Law by maintaining required security that is secondary to any other valid and collectible coverage of the owner's vehicle, which meets the minimum required levels, while it is used as a replacement vehicle. If the owner of a replacement vehicle provides this secondary coverage, the agreement to be signed by the individual to whom the replacement vehicle is loaned must contain on the face of the agreement, in at least 10-point bold type, information that the coverage on the vehicle being serviced or repaired is primary coverage for the replacement vehicle and the coverage maintained by the owner on the replacement vehicle is secondary.

Small Business Effect: Potential meaningful beneficial impact on small business vehicle rental companies to the extent the bill results in a reduction in the cost of maintaining required security for rental vehicles. Similarly, small business providers of required security may be meaningfully impacted to the extent the bill results in changes in existing coverage of rental vehicles. However, MIA advises that it does not anticipate that the bill will result in any material change in business practices for vehicle rental companies.

Additional Information

Prior Introductions: None.

Cross File: None designated; however, SB 711 (Senator Klausmeier – Finance) is identical.

Information Source(s): Maryland Insurance Administration, Department of Legislative Services

Fiscal Note History: First Reader - March 1, 2011
ncs/ljm

Analysis by: Evan M. Isaacson

Direct Inquiries to:
(410) 946-5510
(301) 970-5510