

SB0403/167472/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 403
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Supplemental” and substitute “Enhanced”; in lines 4, 7, 8, and 22, in each instance, strike “supplemental” and substitute “enhanced”; in line 5, after “coverage” insert “, instead of certain uninsured motorist coverage,”; strike beginning with “authorizing” in line 10 down through “penalties;” in line 16; strike beginning with “establishing” in line 18 down through “benefits” in line 19 and substitute “altering a certain prohibition on the recovery of benefits under certain coverages; prohibiting, with a certain exception, a person from recovering benefits under certain coverages from more than one motor vehicle liability insurance policy or insurer on a supplemental basis”; and strike beginning with “providing” in line 20 down through “date;” in line 21.

On page 2, in line 7, strike “, 19-510.1,”.

AMENDMENT NO. 2

On page 3, in lines 12 and 13, strike “**NOT WAIVED THE RIGHT**” and substitute “**ELECTED**”; in line 13, strike “**SUPPLEMENTAL**” and substitute “**ENHANCED**”; and strike beginning with “**IN**” in line 13 down through “**SUBTITLE**” in line 14 and substitute “**UNDER § 19-509.1 OF THIS SUBTITLE INSTEAD OF THE UNINSURED MOTORIST COVERAGE REQUIRED UNDER THIS SECTION**”.

On page 5, in lines 6, 16, and 21, in each instance, strike “**SUPPLEMENTAL**” and substitute “**ENHANCED**”; in lines 6 and 7, strike “**PROVIDED FOR**” and substitute “**REQUIRED BY**”; in line 14, strike “**IF**” and substitute “**WHEN**”; in lines 15 and 16, strike “**WAIVED THE RIGHT**” and substitute “**NOT ELECTED TO**”; in lines 16 and 17, strike “**IN ACCORDANCE WITH § 19-510.1**” and substitute “**UNDER THIS SECTION INSTEAD**”.

(Over)

OF THE UNINSURED MOTORIST COVERAGE REQUIRED UNDER § 19-509"; after line 17, insert:

“(C) (1) AN INSURER SHALL OFFER ENHANCED UNDERINSURED MOTORIST COVERAGE AT THE TIME OF PURCHASE OF A PRIVATE PASSENGER MOTOR VEHICLE LIABILITY INSURANCE POLICY.

(2) THE FIRST NAMED INSURED UNDER A POLICY OR BINDER OF PRIVATE PASSENGER MOTOR VEHICLE LIABILITY INSURANCE MAY ELECT TO OBTAIN ENHANCED UNDERINSURED MOTORIST COVERAGE INSTEAD OF THE UNINSURED MOTORIST COVERAGE REQUIRED UNDER § 19-509 OF THIS SUBTITLE.

(3) UNLESS THE FIRST NAMED INSURED AFFIRMATIVELY MAKES A CHANGE IN WRITING, THE ELECTION TO OBTAIN ENHANCED UNDERINSURED MOTORIST COVERAGE APPLIES TO ALL SUBSEQUENT RENEWALS OF COVERAGE AND TO ALL OTHER POLICIES OR ENDORSEMENTS THAT EXTEND, CHANGE, SUPERSEDE, OR REPLACE AN EXISTING PRIVATE PASSENGER MOTOR VEHICLE INSURANCE POLICY ISSUED TO THE FIRST NAMED INSURED.”;

in line 18, strike “(C)” and substitute “(D)”; in line 21, strike “DOES NOT WAIVE THE RIGHT” and substitute “ELECTS”; and in line 22, after “COVERAGE” insert “INSTEAD OF THE UNINSURED MOTORIST COVERAGE REQUIRED UNDER § 19-509 OF THIS SUBTITLE,”.

On page 6, in lines 1, 4, and 19, strike “(D)”, “(E)”, and “(F)”, respectively, and substitute “(E)”, “(F)”, and “(G)”, respectively; in line 1, after “THE” insert “OFFER OF”; in lines 1, 4, 15, and 19, in each instance, strike “SUPPLEMENTAL” and substitute “ENHANCED”; in lines 1 and 2 and 20, in each instance, strike “PROVIDED FOR” and substitute “REQUIRED”; in line 2, strike “IN” and substitute “ON”; in the same line,

strike “AND SUBJECT TO THE CONDITIONS”; in line 3, strike “APPROVES” and substitute “REQUIRES”; in line 13, strike “, EXCEPT IN ITS APPLICATION”; and strike beginning with “UNLESS” in line 14 down through “THE” in line 15 and substitute “THE”.

On page 7, in lines 1, 7, 15, and 22, strike “(G)”, “(H)”, “(I)”, and “(J)”, respectively, and substitute “(H)”, “(I)”, “(J)”, and “(K)”, respectively; in lines 2, 9, 11, and 35, in each instance, strike “SUPPLEMENTAL” and substitute “ENHANCED”; in line 2, after “SECTION” insert “:

(1) IS SUBJECT TO § 19-511.1 OF THIS SUBTITLE; AND

(2);

and in line 12, strike “PROVIDED FOR IN” and substitute “REQUIRED BY”.

On page 8, strike beginning with “WAIVED” in line 7 down through “SUPPLEMENTAL” in line 8 and substitute “NOT ELECTED TO OBTAIN ENHANCED”; and in lines 8 and 9, strike “IN ACCORDANCE WITH § 19-510.1” and substitute “UNDER § 19-509.1 OF THIS SUBTITLE INSTEAD OF THE UNINSURED MOTORIST COVERAGE REQUIRED UNDER § 19-509”.

On pages 9 and 10, strike in their entirety the lines beginning with line 12 on page 9 through line 22 on page 10, inclusive.

On page 10, in line 24, strike “APPLIES ONLY” and substitute “DOES NOT APPLY”; in line 26, strike “HAS WAIVED THE RIGHT” and substitute “HAS ELECTED”; in the same line, strike “SUPPLEMENTAL” and substitute “ENHANCED”; and in line 27, strike “IN ACCORDANCE WITH § 19-510.1” and substitute “UNDER § 19-509.1 OF

(Over)

THIS SUBTITLE INSTEAD OF THE UNINSURED MOTORIST COVERAGE REQUIRED UNDER § 19-509”.

On page 12, in line 1, strike “NOT WAIVED THE RIGHT” and substitute “**ELECTED**”; in lines 1, 11, 15, 23, and 26, in each instance, strike “SUPPLEMENTAL” and substitute “**ENHANCED**”; and in line 2, strike “IN ACCORDANCE WITH § 19-510.1” and substitute “**UNDER § 19-509.1 OF THIS SUBTITLE INSTEAD OF THE UNINSURED MOTORIST COVERAGE REQUIRED UNDER § 19-509**”.

On page 13, in lines 1, 5, 11, 12, and 16, in each instance, strike “SUPPLEMENTAL” and substitute “**ENHANCED**”; in line 7, strike “A SUPPLEMENTAL” and substitute “**AN ENHANCED**”; in line 21, after “(b)” insert “**(1)**”; in the same line, strike the brackets; strike beginning with “EXCEPT” in line 21 down through “NOTWITHSTANDING” in line 22; in line 23, after “19-509,” insert “**19-509.1,**”; in line 25, strike “or supplemental”; and after line 25, insert:

“(2) EXCEPT AS PROVIDED IN § 19-509.1 OF THIS SUBTITLE, AND NOTWITHSTANDING ANY OTHER PROVISION OF THIS SUBTITLE, A PERSON MAY NOT RECOVER BENEFITS UNDER THE COVERAGES DESCRIBED IN §§ 19-504, 19-505, 19-509, AND 19-512 OF THIS SUBTITLE FROM MORE THAN ONE MOTOR VEHICLE LIABILITY INSURANCE POLICY OR INSURER ON A SUPPLEMENTAL BASIS.”

On page 15, in line 6, strike “July” and substitute “**October**”; and in line 7, strike “2018” and substitute “**2017**”.