

HOUSE BILL 1042

C4

9lr2664

By: **Delegates Boteler, Beitzel, Buckel, Cox, Mangione, McComas, Metzgar, and Otto**

Introduced and read first time: February 8, 2019

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Motor Vehicle Insurance – Total Loss Value**

3 FOR the purpose of requiring an insurer to offer a claimant at least a certain percentage of
4 a certain retail value of a private passenger motor vehicle in a certain settlement for
5 the total loss of the motor vehicle under certain circumstances; and generally
6 relating to motor vehicle insurance and total losses.

7 BY repealing and reenacting, with amendments,

8 Article – Insurance

9 Section 27–304.1

10 Annotated Code of Maryland

11 (2017 Replacement Volume and 2018 Supplement)

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

14 **Article – Insurance**

15 27–304.1.

16 **(A) IF AN INSURER MAKES A CASH SETTLEMENT FOR THE TOTAL LOSS OF A**
17 **PRIVATE PASSENGER MOTOR VEHICLE THAT IS NOT AT THE FAULT OF THE**
18 **CLAIMANT, THE INSURER SHALL OFFER AT LEAST 95% OF THE RETAIL VALUE OF**
19 **THE VEHICLE, AS DETERMINED BY GUIDANCE FROM THE NATIONAL AUTOMOBILE**
20 **DEALERS ASSOCIATION.**

21 **(B)** The Commissioner shall adopt regulations that establish standards and
22 procedures for:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (1) the settlement of claims involving the total loss of a private passenger
2 motor vehicle; and

3 (2) the determination of the private passenger motor vehicle's total loss
4 value.

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
6 October 1, 2019.