

HB0267/333197/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 267
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Vehicle”; in lines 4, 11, and 12, in each instance, strike “vehicle”; in line 6, strike “and”; in the same line, strike “vehicle owner” and substitute “named insured”; in line 7, strike “and sharing”; in the same line, strike “or”; in the same line, after “investigation” insert “purposes including fraud, or for rate filing purposes using aggregated telematics data”; and strike beginning with “selling” in line 9 down through “consideration;” in line 10, and substitute “, except under certain circumstances, using telematics data to cancel, not renew, or refuse to underwrite a private passenger insurance policy; authorizing an insurer that issues, sells, or delivers private passenger automobile insurance policies in the State to share data obtained through telematics with the named insured, with a person other than the named insured under certain circumstances, or in accordance with a court order; authorizing an insurer that issues, sells, or delivers private passenger automobile insurance policies in the State to sell or exchange for other consideration certain aggregated telematics data only under certain circumstances;”.

AMENDMENT NO. 2

On page 1, in line 22, strike “**VEHICLE**”; in line 23, strike “**AND SHARING**”; in the same line, after “**DATA**” insert “**RELATED TO ANY OF THE FOLLOWING DATA POINTS**”; in line 24, strike “**IN THE VEHICLE,**” and substitute “**OR**”; and in line 25, strike “, **WHICH**”.

On page 2, in line 1, strike “**MAY INCLUDE**” and substitute “**:**”

(1)”;

in the same line, after “**HOURS;**” insert:

(Over)

(2);

in line 2, after “**HABITS;**” insert:

(3) DISTRACTED DRIVING DUE TO TELEPHONE USE;

(4) ROAD AND WEATHER CONDITIONS;;

in the same line, strike the second “**AND**” and substitute:

(5);

in line 3, after “**DIAGNOSTICS**” insert “**;AND**

(6) ANY OTHER DATA POINT RELATED TO THE USE AND OPERATION OF THE INSURED VEHICLE THAT HAS BEEN FILED WITH AND APPROVED BY THE COMMISSIONER;

in line 6, strike “**VEHICLE**”; in line 8, strike “**1.**”; in lines 9 and 10, strike “**;** **AND 2.**”; in line 10, strike “**VEHICLE OWNER**” and substitute “**NAMED INSURED**”; in line 11, strike “**AND SHARING**”; in the same line, strike “**OR**”; in line 12, after “**INVESTIGATION**” insert “**PURPOSES, INCLUDING FRAUD; OR**

(III) FOR RATE FILING PURPOSES USING AGGREGATED TELEMATICS DATA;

and strike lines 13 through 16, inclusive, and substitute:

“(2) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, MAY NOT USE TELEMATICS DATA WHOLLY OR PARTLY TO CANCEL, NOT RENEW, OR REFUSE TO UNDERWRITE A PRIVATE PASSENGER AUTOMOBILE INSURANCE POLICY; AND

(II) IF THE NAMED INSURED DOES NOT CONSENT TO THE USE OF TELEMATICS, MAY REFUSE TO UNDERWRITE A PRIVATE PASSENGER AUTOMOBILE INSURANCE POLICY ONLY IF THE INSURER’S UNDERWRITING GUIDELINES REQUIRE RATING ALL POLICIES USING TELEMATICS DATA;

(3) MAY SHARE DATA OBTAINED THROUGH TELEMATICS:

(I) WITH THE NAMED INSURED;

(II) WITH A PERSON OTHER THAN THE NAMED INSURED ONLY IF THE NAMED INSURED PROVIDES CONSENT; OR

(III) IN ACCORDANCE WITH A COURT ORDER; AND

(4) MAY SELL OR EXCHANGE FOR OTHER CONSIDERATION AGGREGATED TELEMATICS DATA THAT DOES NOT CONTAIN ANY PERSONAL INFORMATION, AS DEFINED IN § 4-101 OF THE GENERAL PROVISIONS ARTICLE, ONLY IF THE DATA WILL BE USED FOR AUTOMOBILE INSURANCE RATING OR VEHICLE SAFETY PURPOSES.”