

HB1186/443328/1

BY: Judiciary Committee

AMENDMENTS TO HOUSE BILL 1186
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “**and Williams**” and substitute “**Williams, and Moreno**”; in line 14, after “policy;” insert “requiring peer-to-peer car sharing programs to be responsible for providing certain security on a primary basis for third-party liability claims under certain circumstances.”.

On page 2, after line 6, insert:

“BY adding to

Article - Transportation

Section 18.5-102.1

Annotated Code of Maryland

(2020 Replacement Volume and 2025 Supplement)”.

AMENDMENT NO. 2

On page 11, after line 6, insert:

“18.5-102.1.

(A) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THIS SECTION APPLIES ONLY TO:

(I) PEER-TO-PEER CAR SHARING TRANSACTIONS ORIGINATING IN THE STATE; AND

(II) THIRD-PARTY CLAIMS AGAINST A SHARED VEHICLE DRIVER ARISING OUT OF THE SECURITY REQUIREMENT UNDER § 18.5-102(A)(2) OF THIS SUBTITLE.

(2) THIS SECTION DOES NOT APPLY TO A REPLACEMENT VEHICLE UNDER § 18.5-102(A)(2) OF THIS SUBTITLE.

(B) A PEER-TO-PEER CAR SHARING PROGRAM SHALL BE RESPONSIBLE FOR PROVIDING THE REQUIRED SECURITY UNDER § 17-103 OF THIS ARTICLE ON A PRIMARY BASIS FOR A THIRD-PARTY LIABILITY CLAIM IF THE PEER-TO-PEER CAR SHARING PROGRAM:

(1) FAILS TO DELIVER NOTICE OF THE CLAIM;

(2) FAILS TO COOPERATE WITH THE INSURER;

(3) PREJUDICED THE HANDLING OF THE THIRD-PARTY CLAIM BEFORE THE INSURER ASSUMED THE HANDLING OF THE CLAIM;

(4) HAS PROVIDED LIABILITY, PROPERTY DAMAGE, UNINSURED MOTORIST, OR OTHER COVERAGE TO THE INSURED THAT IS:

(I) ADDITIONAL TO THE INSURANCE COVERAGE REQUIRED UNDER § 19-520(D)(1) OF THE INSURANCE ARTICLE; AND

(II) APPLICABLE TO THE THIRD-PARTY CLAIM AS A BENEFIT UNDER A SUPPLEMENTAL INSURANCE POLICY SOLD TO THE SHARED VEHICLE DRIVER IN CONNECTION WITH, AND INCIDENTAL TO, THE PEER-TO-PEER CAR SHARING TRANSACTION; OR

(5) FAILS TO PROVIDE THE DISCLOSURES REQUIRED UNDER § 19-520(C)(3) OF THE INSURANCE ARTICLE.