

# HOUSE BILL 466

D3, R5  
HB 594/25 – JUD

6lr2616

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By: **Delegates Embry, Bagnall, Boyce, Fair, Feldmark, Kaufman, Lewis, Moreno, Palakovich Carr, Simmons, Stinnett, and Terrasa**

Introduced and read first time: January 23, 2026

Assigned to: Judiciary

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## A BILL ENTITLED

1 AN ACT concerning

2 **Civil Actions – Motor Vehicle Accidents Involving Vulnerable Individuals –**  
3 **Comparative Negligence**

4 FOR the purpose of prohibiting recovery by a certain plaintiff from being barred in a certain  
5 civil action due to the plaintiff's negligence, except under certain circumstances;  
6 requiring any damages awarded under this Act to be diminished in proportion to the  
7 amount of negligence attributed to the plaintiff; and generally relating to  
8 comparative negligence and motor vehicle accidents involving vulnerable  
9 individuals.

10 BY adding to  
11 Article – Courts and Judicial Proceedings  
12 Section 11–302  
13 Annotated Code of Maryland  
14 (2020 Replacement Volume and 2025 Supplement)

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

17 **Article – Courts and Judicial Proceedings**

18 **11–302.**

19 **(A) THIS SECTION APPLIES ONLY TO A CIVIL ACTION BROUGHT BY A**  
20 **PLAINTIFF WHO, AT THE TIME OF THE MOTOR VEHICLE ACCIDENT GIVING RISE TO**  
21 **THE CAUSE OF ACTION, WAS A VULNERABLE INDIVIDUAL, AS DEFINED IN § 21–901.3**  
22 **OF THE TRANSPORTATION ARTICLE.**

23 **(B) IN AN ACTION TO RECOVER DAMAGES ARISING FROM THE NEGLIGENT**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 OPERATION OF A MOTOR VEHICLE, RECOVERY BY THE PLAINTIFF MAY NOT BE  
2 BARRED DUE TO THE PLAINTIFF'S NEGLIGENCE UNLESS THE PLAINTIFF'S  
3 NEGLIGENCE WAS:

4 (1) A PROXIMATE CAUSE OF THE PLAINTIFF'S INJURY; AND

5 (2) GREATER THAN THE COMBINED NEGLIGENCE OF ALL  
6 DEFENDANTS THAT PROXIMATELY CAUSED THE PLAINTIFF'S INJURY.

7 (C) THE DAMAGES AWARDED IN AN ACTION DESCRIBED IN THIS SECTION  
8 SHALL BE DIMINISHED IN PROPORTION TO THE AMOUNT OF NEGLIGENCE  
9 ATTRIBUTED TO THE PLAINTIFF.

10 (D) THE PROVISIONS OF THIS SECTION MAY NOT BE CONSTRUED TO AFFECT  
11 THE RULE OF JOINT AND SEVERAL LIABILITY OR THE DOCTRINE OF LAST CLEAR  
12 CHANCE.

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to  
14 apply only prospectively and may not be applied or interpreted to have any effect on or  
15 application to any cause of action arising before the effective date of this Act.

16 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
17 October 1, 2026.