



MARYLAND
AUTO INSURANCE

POSITION ON PROPOSED LEGISLATION

Date: February 19, 2020

Position: Favorable with Amendments

Bill Number: House Bill 280

Bill Title: Vehicle Laws – Suspension of Driver’s License or Registration –
Unpaid Citations or Judgments

The Maryland Automobile Insurance Fund

The Maryland Automobile Insurance Fund is your state created motor vehicle insurance carrier. Employing over 200 insurance professionals in Baltimore, we have over 40 years of experience dealing with the Maryland automobile insurance market. Approximately 40,000 Maryland families depend upon MAIF for their automobile insurance needs. MAIF pledges to each of you the benefits of its expertise in insurance issues, and hopes that you will see us as a resource for obtaining motor vehicle insurance information and resolving insurance issues.

House Bill 280 Review:

Maryland Auto recently released a legislatively mandated report (See SB 856, 2018) on “The Uninsured Motorist Problem in Maryland.” This report identified the leading reasons why 500,000 Marylanders drive uninsured. While the first was affordability, the second recognized cause cited in the report was titled “excessive barriers to registration.” This section described the linkage between using the motor vehicle registration system as a collection tool and driving uninsured. An excerpt of the report noting the barriers and their impact is attached.

HB 280 is aimed at the same type of problem as uncovered in Maryland Auto’s report. Because of the economic impact of these barriers on Maryland drivers and Maryland businesses, action should be taken.

For these reasons, Maryland Automobile Insurance Fund urges a favorable with amendments report.

Please let us know if we can answer any questions.

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Excerpt – Pages 42-53



MARYLAND

AUTO INSURANCE

UNINSURED DIVISION

**THE UNINSURED MOTORIST PROBLEM
IN MARYLAND**

The SB 856 / HB 1161 (2018) Study

January 2020

(6) Lack of Producer Control

Maryland Auto's Insured Division is also uniquely disadvantaged in its relationship with insurance producers. Our research found no other motor vehicle insurer prohibited from selecting its own producers, denied full regulatory authority over the producers it is dealing with, or most ominously, denied the ability to pay below 10% as a commission. These constraints on Maryland Auto raise its costs in two distinct ways.

First, it adds direct costs to the system by setting a 10% floor on commissions. Under Maryland Auto's procedures, even when a policy is written by Maryland Auto with no producer involvement on its internet based system, it is assigned to a producer who services the policy. This important practice should continue, but the legislative requirement that such a policy should yield a 10% commission payout to the producer is inequitable when compared to other producers who attract, write, and service the policy for the exact same commission. Maryland Auto could save by paying less commission to servicing only producers in such circumstances, but these savings cannot be realized under the statutory dictate.

Second, the 10% floor for commission removes incentives to producers to process this business on their own, and in a perverse way, actually encourages some producers to put work requests on Maryland Auto's underwriting department. Producers who do not become facile with Maryland Auto's automated application interface face no deduction in commission for the Maryland Auto staff time devoted to servicing policies. Conversely, producers who develop expertise on the system and work to service policies without Maryland Auto's underwriting staff see little financial reward. The 10% statutory commission floor deprives Maryland Auto a chance to encourage better work.

These cost drivers at Maryland Auto protect other insurers, the premium finance industry, and insurance producers. They do not help consumers, each raises prices, and all deny the entity financial tools to lower costs. Cost creates the biggest barrier to lowering the percentage of uninsured motorists in the State.

B. Excessive Barriers to Registration

Cost is not the only barrier though. Maryland law imposes significant barriers that preclude the re-registration of a vehicle. These barriers make it hard to re-enter the insurance system after cancellation by carrier. The barriers are crippling.

This was the lesson of the 2018 bill's amnesty program. That program, branded as FineFix, was designed to assist over 300,000 Marylanders who had existing uncollected uninsured motorist fines. These fines "flag" the MDOT MVA registration and make it impossible to renew the registration or register a new car even if the applicant can prove that insurance now covers the vehicle.

There are hundreds of thousands of individuals who cannot register a vehicle in Maryland due to delinquent uninsured motorist fines. Under current law, insurers are required by statute [Transportation Article §17-104 and §17-106] to notify the MDOT MVA of new policies, lapses, terminations, and reinstatements. If an existing insurance policy is terminated or lapses, insurers must immediately notify MDOT MVA after the termination or lapse is final. [Transportation Article §17-106(b)]. The MDOT MVA then notifies the vehicle owner that the vehicle registration has been suspended and that the owner is required to turn in the tags and registration to the MDOT MVA. As noted above, in Maryland nearly 10,000 registrations per month are suspended due to the failure to pay fines resulting from a lapse in insurance.

The uninsured motorist penalties under Transportation Article §17-106 can be substantial and increase each day: _

<u>Length of Violation</u>	<u>Cumulative Penalty</u>
Day 1 through Day 30	\$ 150
At the end of 60 days	\$ 360
At the end of 90 days	\$ 570
At the end of 120 days	\$ 780
At the end of 180 days	\$ 1200
At the end of 270 days	\$ 1830
At the end of 360 days	\$ 2460
At the end of one year	\$ 2495
At the end of 18 months	\$ 3745
At the end of two years	\$ 5000

It is not difficult to imagine motorists who got behind in their bills, lost their insurance and soon reached a level of fines that was impossible for them to pay. If an individual cannot pay the accumulated fine, the vehicle cannot be registered. This has obvious implications for the person's employability and may further complicate the person's ability to ever have a registered and insured vehicle. In many cases, a downward economic spiral would seem inevitable³⁰.

The Legislature took steps to address this downward spiral (SB 888/HB 912, Chapter 446, Laws of Md. 2016) by creating the first "Incentive Program" to reduce the number of uninsured vehicles in the State. Eligible debts were delinquent uninsured motorist penalties due and owing prior to December 31, 2014.

The MDOT MVA ran the Incentive Program from May 15, 2017 – August 15, 2017. It identified 192,115 individuals who had outstanding uninsured motorist fines and who were eligible for the Program. Under this Incentive Program, eighty percent (80%) of delinquent uninsured motorist

³⁰ The Consumer Federation of America has noted "research shows that lower income drivers are much more likely. . . to be uninsured and also to feel they cannot afford" insurance and that "to gain reasonable access to most jobs, a car is necessary". *Uninsured Drivers: A Societal Dilemma in Need of a Solution*. (2013)

penalties would be waived if the vehicle owner registered a vehicle and maintained an auto insurance policy. These individuals were notified about the Incentive Program by regular mail and by e-mail on multiple occasions. Only 6,714 individuals enrolled in the Incentive Program, a participation rate of 3.49%.

The Incentive Program obviously helped some individuals. As noted in the MDOT MVA report after the program, these 6,714 individuals will “no longer be burdened by an insurance compliance debt with the state” and will be able to “register, insure, and lawfully operate their own vehicle.” To this extent the Incentive Program worked. However, a 3.49% participation rate barely dents the overall number of uninsured motorists, and likely represents the group that could most readily meet the eligibility condition of being a “vehicle owner”.

As noted by MDOT MVA in its report to the Legislature, participation in the Incentive Program was limited by the registration requirement. The Incentive Program was limited to “vehicle owners” and required the “vehicle owner” to register the vehicle. The penalties and fines, however, were at a minimum 3 years old and ranged up to 15 years. In these circumstances, many of the individuals who owed delinquent fines would certainly no longer own the vehicle and would therefore not even be eligible to participate in the Incentive Program.

Recognizing these constraints harmed the effort to resolve fines, the legislature authorized a second incentive program in 2018 for all individuals who had a delinquent penalty prior to January 1, 2017. SB 856/ HB 1161 established the 2019 Incentive Program, now known as FineFix. Insurance Article §20-612. Like the earlier program, the FineFix program allowed Maryland residents who had delinquent uninsured motorist’s penalties and fines prior to December 31, 2016 to pay 20% of the fine, have 80% waived and become in good standing with the MDOT MVA. This would allow individuals to eventually register a vehicle and become insured. This program is being administered by Maryland Auto.

Learning from the limitations of the prior Incentive Program, under the FineFix program immediately registering a vehicle was not required. This allows an individual to clear their debt to the State in the expectation of purchasing, registering and insuring a vehicle sometime in the future. Currently, these individuals cannot even consider purchasing a vehicle as the debt to the State for the uninsured motorists’ fines totally bans registration of any vehicle. There was no reason to exclude this group from the Incentive Program.

The number of individuals impacted by these fines is staggering. Despite eligibility being limited to debts prior to December 31, 2016, 328,534 Marylanders qualified for the FineFix program. In the design phase of FineFix, it was discovered that many of them had other fines that would need to be resolved before participants would be allowed to register a vehicle.

Other Flags

As detailed below, in addition to the uninsured motorist penalty “flags,” there are numerous other flags which bar the registration of a vehicle. Producers, in our meetings, noted the customer confusion attendant to the proliferation of these flags. They described the difficulty of determining what the registration flag was for, as well as how to resolve the issue.

These barriers are at times difficult to overcome even if the applicant is able to pay the fine, penalty or judgement as there is no central mechanism to pay. Unfortunately, the producers say, there is no single portal with that information, and no uniform way of clearing the debt. They described some jurisdictions taking electronic payments, others as requiring checks. They further noted that there is a substantial delay in many of these jurisdictions before the MDOT MVA is informed of the payment which clears the ability to register the vehicle. One of the reasons FineFix was successful was that Maryland Auto created a central, user friendly method for electronic payment.

There are many understandably codified reasons to refuse or suspend a license to drive that are directly tied to serious public safety issues, including drug and alcohol convictions, (Transportation Article §16-205) and accumulation of points for moving violations. (Transportation Article §16-305). However, far too often suspending or refusing to register a vehicle, which often has a similar effect to the suspension of a driver’s license, is not tied to public safety but instead is used to support and enhance the collection of debts. Our review revealed at least five types of violations that create flags on a motor vehicle registration.

Parking Violations

First, the MDOT MVA “may not register . . . any vehicle involved in a parking violation” issued by any political subdivision of the State, an authorized State agency or a federal agency. Transportation Article §26-301 and §26-305. The registration bar shall continue until the political subdivision, State agency or federal agency notifies the MDOT MVA “that the charge has been satisfied.” Transportation Article §26-305. The MDOT MVA has advised that this provision covers the many different counties, towns, cities, agencies, colleges and universities and federal properties. Any unpaid parking tickets in the following jurisdictions will result in an MDOT MVA flag barring the renewal of the vehicle registration:

City of Baltimore	Baltimore City Community College	Anne Arundel County Police Dept.
Maryland Port Administration	Mayor & City Council of Cumberland	Annapolis City Police Dept.
United States District Court for the District of Maryland	Frostburg Police Dept.	MD Forest Park Wildlife Service
Community College of Baltimore County	Luke Police Dept.	MD Aviation Administration
	Westernport Police Dept.	Baltimore County

Caroline County Rec. & Parks
Denton Police Dept.
Carroll County Collection Office
Sykesville Police Dept.
Hampstead Police Dept.
Town of Manchester
Town of New Windsor
City of Taneytown
Town of Union Bridge
Westminster Police Dept.
Rising Sun Police Dept.
La Plata Police Dept.
Perryville Police Dept.
City of Cambridge
Brunswick Police Dept.
Emmitsburg Police Dept.
City of Frederick
Thurmont Police Dept.
Harford Co. Sheriff's Dept.
Aberdeen Police Dept.
Havre De Grace Police Dept.
Town of Port Deposit
Howard County - Parking Violations Division
Chestertown Police Dept.
Kent County Public Works
Fruitland Police Dept.
Centreville Police Dept.
Queen Anne's County
Montgomery County
City of Gaithersburg
MD National Capital Park Police
Rockville City Police Dept.

City of Takoma Park
Prince George's County
New Carrollton PD
City of New Carrollton
Greensboro PD - Town Hall
Town of Colmar Manor Police Dept.
2604 Boonsboro Police Department
Town of Berwyn Heights Police Dept.
Bladensburg Police Dept.
City of Bowie City Hall
Town of Brentwood
Capitol Heights Police Dept.
Town of North Brentwood
City of Seat Pleasant - Seat Pleasant City Hall
City of College Park
Cottage City Police Dept.
District Heights Police Dept.
Edmonston Police Dept.
Fairmount Heights Police Dept.
Forest Heights Police Dept.
Glenarden Police Dept.
City of Greenbelt
Hyattsville City Police Dept.
Landover Hills Police Dept.
Laurel City Police Dept.
Morningside Police Dept.
Mt. Rainier Police Dept.
MD National Capital Park Police
Town of Riverdale Police Dept.
University Park Police Dept.

Upper Marlboro Police Dept.
Oxford Police Dept.
Town of North Beach
Crisfield Police Dept.
Princess Anne Police Dept.
Easton Police Dept.
St Michaels Police Dept.
Town of Clear Spring
Smithsburg Police Dept.
Hagerstown Police Dept.
Washington County Sheriff's Dept.
Hancock Police Dept.
Williamsport Police Dept.
Salisbury City Police Dept.
City of Salisbury Finance Dept.
Ridgely Police Dept.
Ocean City Police Dept.
Town of Berlin Police Dept.
Snow Hill Police Dept.
Bowie State University
Coppin State College
Frostburg State University
Morgan State University
Salisbury State University
Towson State University
University of Baltimore Police Dept.
University of Maryland
University of Maryland--UMAB Police
University of Maryland - Eastern Shore Police Dept.
Universities at Shady Grove

Prince George's Community
College

Hagerstown Junior College

Talbot County - Department
of Parks & Recreation

University of MD- University
College

Mass Transit Administration

Town of Mount Airy

University of Maryland

Cheverly Police Dept.

Harford County Government

Charles County Sheriff's
Office

Electronic or Video Tolls

Second, if a vehicle owner fails to pay an electronic or video toll (i.e. E-Z Pass) the MDOT MVA “shall refuse or suspend the registration” of the vehicle. Transportation Article §21-1414. This includes toll violations from other states that have a reciprocal agreement with Maryland. Transportation Article §21-1414(i)(4).

Camera Fines

Third, failure to pay fines resulting from “traffic control monitoring systems” (i.e. speed and red light cameras) will result in the suspension and the suspension of the registration shall continue until the “political subdivision . . . notifies the MDOT MVA that the charge has been satisfied.” Transportation Article §26-305. The MDOT MVA advises that the following jurisdictions are covered by either or both of these provisions:

Red Light

Howard County Police Dept.	City of Bowie
City of Baltimore	Rockville City Police Dept.
Laurel Police Dept.	City of College Park
Riverdale Park Police Dept.	City of Annapolis
Prince George’s County	Forest Heights Police
Montgomery County Police Dept.	City of Frederick
Baltimore County Police Dept.	Hyattsville City Police Dept.
Bel Air Police Dept.	University Park Police Dept.
Morningside Police Dept.	Town of Edmonston
Cheverly Police Dept.	Bladensburg Police Dept.
Cottage City Police Dept.	New Carrollton Police Dept.
Greenbelt City Police Dept.	Town of Colmar Manor Police Dept.
Aberdeen Police Dept.	Westminster Police Dept.
Charles County Treasurer’s Office	Fairmount Heights Police Dept.
City of Salisbury- Finance Dept.	Town of Brentwood
Harford County Government	City of Seat Pleasant
Landover Hills Police Dept.	Hagerstown City Police
Anne Arundel County Police Dept.	

Speed Camera

Montgomery County Police

Rockville City Police

Chevy Chase Village Police

Gaithersburg Police Dept.

City of Takoma Park Police Dept.

MD State Highway Administration

City of Baltimore

Riverdale Park Police Dept.

New Carrollton Police Dept.

Forest Heights Police Dept.

Calvert County Sheriff Office

Baltimore County Speed Camera

Mount Rainier Police Dept.

Town of Brentwood

City of Bowie

Glenarden Police Dept.

Town of Berwyn Heights

Cheverly Police Dept.

City of District Heights

Laurel Police Dept.

City of Frederick

City of College Park

Seat Pleasant Police

Fruitland Police Dept.

Howard County Department of Police

Town of Hancock Police Dept.

Cambridge Police Dept.

Prince George's County Police Dept.

Town of Chesapeake Beach

Princess Anne Police Dept.

Town of Capitol Heights Police Dept.

Town of Landover Hills Police Dept.

Morningside Police Dept.

Salisbury Police Dept.

Town of Snow Hill

Delmar Police Dept.

City of Hagerstown Police Dept.

City of Greenbelt Police Dept.

Town of Denton Police Dept.

Town of Fairmount Heights

Wicomico County Sheriff's Office

Charles County Gov't Treasurer's Office

Easton Police Dept.

Chestertown Police Dept.

City of Annapolis Department of Finance

Smithsburg Police Dept.

City of Hyattsville Police Dept.

Town of Centreville

Washington County Sheriff

Town of Pittsville

St. Michaels Police Dept.

Unpaid Taxes and Unemployment Insurance

Fourth, under Transportation Article §13-406.2, the MDOT MVA “may not renew or transfer the registration of a vehicle if the applicant has not paid any undisputed taxes or unemployment insurance contributions . . . or provided for payment in a manner satisfactory to the unit responsible for collection.” The suspension of vehicle registration is one of the tools used to collect taxes for the General Fund, but is totally unrelated to motor vehicle or highway safety.

Civil Judgments

Fifth, in order to enforce the payment of all unpaid civil judgments arising out of the ownership, maintenance or use of a motor vehicle, Transportation Article §17-204, provides that the MDOT MVA “shall suspend (1) the license to drive . . . and (2) the registration of all vehicles owned by the judgement debtor. . .”.

As noted above, most of the attention has been on driver’s licenses. In Maryland, the registration of a vehicle is barred by the various debts as outlined above, and the effect is the same. We found no evidence that there has been a systematic review of the rationale allowing these suspensions.

There is a growing recognition that using the power to suspend a license or registration to enforce the collection of debts that are not related to public safety, is unfair and self-defeating. Threatening a suspension to collect debts arising out of parking tickets, unemployment contributions, EZ Pass and unpaid civil judgments may well be an effective debt collection tactic, but it often ensures that low income individuals who cannot pay the debt lose their ability to lawfully operate a motor vehicle and to maintain employment.

This point³¹ has been emphasized by numerous commentators. For example, the American Constitution Society recently noted:

More than forty states use driver’s license suspension as punishment for failure to pay certain debts, which may include traffic or parking tickets, other types of court debt from civil judgments, child support orders, and taxes or other amounts allegedly owed the state or municipal government...

The most direct consequence of widespread license suspension is decreased employment and income: the loss of a license makes it harder to find or keep a job. A license is often needed for commuting, particularly as jobs are increasingly located outside of inner-city areas...

³¹ The attention generally has focused on driver license suspension as a debt collection tool. While the suspension of a driver’s license is perhaps a more serious problem, it is often similar in effect to a registration suspension as both preclude driving to work. Whether driver license suspension is appropriate is beyond the scope of this study.

Studies have found a robust correlation between a lack of legal authority to drive and unemployment/ underemployment. For example, a study of New Jersey drivers found that 42 percent of individuals whose licenses had been suspended lost their jobs within six months after the license suspension, and nearly half were unable to obtain new employment during the suspension. And of those drivers that could find another job, 88 percent reported a decrease in income.

* * * * *

If the goal of license-for-payment schemes is to coerce payment of outstanding fines or fees, that logic is flawed when it comes to low-income people. By harming the job prospects and upward mobility of those whose licenses are suspended, license-for-payment laws curtail people's ability to generate the income necessary to repay any outstanding fines or fees and to transition away from government assistance.³²

Similarly, a Koch Industries executive, working with the “Free-to-Drive” Campaign observed:

*Each year, millions of Americans have their driver's licenses suspended or revoked simply because they cannot afford to pay fines and fees. These suspensions do not protect or promote public safety. They are overreaching and harmful, imposing significant barriers on those seeking to improve their lives. **They cause many – particularly those struggling to make ends meet – to lose their jobs and their ability to support their families.** This cycle of coercive debt repayment and overly punitive penalties must end.³³*

A Senior Attorney at the National Center for Law and Economic Justice stated:

New York's short-sighted and discriminatory suspension policy prevents low-income people from accessing jobs, health care, education – everything they need to improve their economic circumstances...We must eliminate this counterproductive barrier to opportunity and restore basic fairness to the traffic debt collection process.³⁴

³² American Constitution Society, *Discriminatory Driver's License Suspension Schemes* (March 2019)

³³ *In Support of the “Free to Drive” Campaign*, Mark Holden, Senior Vice President, Koch Industries
<https://finesandfeesjusticecenter.org/2019/09/11/ffjc-convenes-free-to-drive-campaign>

³⁴ *Claudia Wilner, Senior Attorney, National Center for Law and Economic Justice*
<https://finesandfeesjusticecenter.org/2019/05/08/ffjc-co-founds-driven-by-justice-coalition-to-end-drivers-license-suspensions>

In a similar vein, the Abell Foundation recently conducted an extensive study of the Maryland child support system.³⁵ The study acknowledged that a license suspension “can be an effective tool for collecting support payment” when a parent has sufficient resources to pay, but causes serious ramifications where the parent does not have the ability to pay:

Over the five-year period between 2012 and 2016, the Maryland Department of Transportation suspended more than 33,000 driver’s licenses in Baltimore due to child support nonpayment. Data show that driver’s license suspensions affect the poor to a much greater extent than other income groups. Having a suspended driver’s license reduces the ability of already economically destabilized parents to work, pay child support, and maintain parent-child relationships, all goals of the child support program. Driver’s license suspension can set up a vicious cycle, making it harder to pay child support than before the suspension.

*The U.S. Census found that three-fourths of American workers regularly drive to work, underscoring the importance of driving in everyday life. Yet, driver’s license suspensions threaten the ability of noncustodial parents to earn a livelihood, and can lead to job loss or the inability to look for a job. **Even a short suspension could cause a parent to lose a job or job opportunity.** Research indicates that available jobs may be far away from home and out of reach of public transportation. Research has also found that greater “job sprawl” is particularly associated with higher spatial mismatch for African American workers, who can be more geographically isolated from jobs.*

The Abell Report on page 28. The Abell Foundation accordingly recommended that parents with incomes less than 200% of the poverty level be exempt from driver’s license suspensions used to collect child support.

A number of states have recently taken steps to reduce the incidence of the suspension of drivers’ licenses or registration based on the failure to pay a fine, fee, restitution, or a judgment:

- **Montana.** Passed House Bill 217 in 2018 broadly providing “a person’s license or driving privileges may not be suspended due to non-payment of fines, costs or restitution.” (Section 46-18-201, Montana Code Annotated).

³⁵ The Abell Report, The Abell Foundation Vol.32, No.5, *Reforming Child Support to Improve Outcomes for Children and Families* (June 2019)

- **Texas.** Ended a surcharge program in 2019 that imposed additional fines on top of the existing fines. These surcharges prevented individuals who could not pay the fees from being licensed. Ending the surcharge program allowed 1.5 million Texans to become licensed. (www.dallasobserver.com)
- **California.** Passed a statute in 2017 (AB103) to remove the authority of the Department of Motor Vehicles to suspend or withhold driver's licenses for failure to pay traffic fines. (www.dmv.ca.gov/portal/dmv/details/pubs)
- **Mississippi.** Announced in December 2017 that it would no longer suspend licenses for unpaid fines, fees or assessments and reinstated all previously suspended licenses. It was estimated that 100,000 suspensions would be affected by this change. (www.law.olemiss.edu/oplc-macarthur-justice-center)
- **Idaho.** Passed HB 599 in 2018 to provide "a driver's license shall not be suspended for failure to pay an infraction penalty" and "all licenses suspended prior to July 1, 2018 for failure to pay an infraction penalty shall be reinstated...without charge to the applicant." (Section 49-328, Idaho Code)
- **District of Columbia.** Bill passed in 2018 (D.C. Act 22-449) deleting the authority of the Department of Motor Vehicles to suspend or refuse a license based on unpaid parking traffic tickets. A second bill (D.C. Act 22-559) was passed in 2019 that removed the provision authorizing a suspension of a license and registration based on an unpaid civil judgment involving that motor vehicle. (Driver's License Revocation Fairness Act of 2018, D.C. Act 22-449).

Despite this trend, debts are still being collected in Maryland by the MDOT MVA. Those debts impose a significant barrier to low income residents of the State. If they cannot pay the debts, they cannot register their vehicle. Without transportation, consistent participation in the labor market may be impossible. Using MDOT MVA as a collection tool, therefore, is contributing to the uninsured driving epidemic and harming economic growth.

C. A Poorly Funded and Uncoordinated Government Response

While cost and difficulty in re-entering the insurance market are the two largest problems found by this report, other factors contribute to the high rate of uninsured drivers in Maryland. One of these factors is the lack of an adequately funded and carefully coordinated government response to the problem.

Three state entities have direct responsibility in the arena. First, the MDOT MVA issues the tags and leads the enforcement response via the uninsured motorist penalty. Second, the MIA is charged with regulatory and cost oversight of the industry. Third, Maryland Auto plays two distinct roles. Its insured side is directed to provide insurance coverage to all eligible applicants,