

BRIAN E. FROSH
Attorney General

ELIZABETH F. HARRIS
Chief Deputy Attorney General

CAROLYN QUATTROCKI
Deputy Attorney General



WILLIAM D. GRUHN
Chief
Consumer Protection Division

Writer's Fax No.

STATE OF MARYLAND
OFFICE OF THE ATTORNEY GENERAL
CONSUMER PROTECTION DIVISION

Writer's Direct Dial No.

410-576-7942
kstraughn@oag.state.md.us
Fax: 410-576-7040

February 11, 2021

To: The Honorable Dereck E. Davis
Chair, Economic Matters Committee

From: Karen S. Straughn
Consumer Protection Division

Re: House Bill 168 – Motor Vehicle Insurance – Use of Credit History Rating Policies
(SUPPORT)

The Consumer Protection Division of the Office of the Attorney General submits the following written testimony in support of House Bill 168 submitted by Delegate Julian Ivey. The bill prohibits the use of credit history in the rating of a private passenger automobile insurance policy. Proponents of using credit history to rate insurance policies often argue that a low credit rating is indicative of an increased risk of loss. But driving habits do not factor in any way into an individual's credit history and, likewise, one's credit history does not affect one's driving habits.

When the economy takes a downturn, such as during the financial crisis and the pandemic, many people experience a negative impact to their credit due to circumstances beyond their control. Unemployment increases and the dramatic impact to the housing market alone have caused many people to suffer losses to their credit rating through little fault of their own. Others have suffered illnesses with large medical bills, many of which may not be covered by insurance, once again striking a blow to an otherwise healthy credit rating.

However, these difficulties do not necessarily translate to a higher risk of an automobile loss. When the economy suffers, individuals often experience financial setbacks that could easily affect their credit history in ways that do not justify an increase in their auto insurance rates. Even if an individual is financially struggling for reasons of his or her own making, this does not necessarily mean that he or she is not a good driver. Instead, those rates should be based on the driving history and rating characteristics of the individuals and their vehicles. This is the only way of truly ensuring that the individual is properly rated for the risk he or she presents, rather than his or her current financial circumstances.

The Honorable Dereck E. Davis

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For these reasons, we ask that the Economic Matters Committee return a favorable report on this bill.

cc: The Honorable Julian Ivey
Members, Economic Matters Committee