



HB 125 - Motor Vehicle Insurance - Discrimination in Underwriting and Rating – Use of Gender Support

The Maryland Association for Justice (MAJ) envisions a fair and impartial legal system that protects the rights and safety of all people. The Maryland Association for Justice is dedicated to improving and protecting the civil justice system through legislative advocacy and the professional development of trial lawyers.

MAJ supports HB 125, which would prohibit a private passenger motor vehicle insurer from refusing to underwrite, cancel, refuse to renew, rate a risk, or increase the renewal premium of a motor vehicle insurance policy based on the gender of the insured or applicant.

Current insurance law does not explicitly address (authorize or prohibit) the use of gender in underwriting or rating a policy by a private passenger motor vehicle insurer but does include prohibitions and requirements when using other factors to underwrite or rate a policy. For example, a homeowner's insurer or private passenger automobile insurer is prohibited from increasing the premium for an insured who becomes a surviving spouse based solely on the insured's change in marital status. Additionally, a private passenger motor vehicle insurer may not (1) refuse to underwrite, cancel, refuse to renew, or increase the renewal premium based, in whole or in part, on the credit history of an insured or applicant or (2) require a particular payment plan based, in whole or in part, on the credit history of an insured or applicant.

Under current law, a woman may pay more than a man for the exact same policy coverage, regardless of their individual driving records. Because private passenger automobile insurance is compulsory for all Maryland drivers, the disparity in pricing likely effects many Marylanders.

Expanding access to fairly priced and affordable auto insurance is good policy in ensuring that drivers involved in accidents can get access to healthcare, recover lost wages, and ultimately be made whole.

MAJ respectfully urges a Favorable Report