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January 18, 2022

The Honorable C.T. Wilson  
Economic Matters Committee  
House Office Building, Room 231  
6 Bladen Street  
Annapolis, MD 21401

### **Testimony of FreeState Justice**

#### **IN SUPPORT OF**

#### **HB0125: Motor Vehicle Insurance - Discrimination in Underwriting and Rating - Use of Gender**

To the Chair, Vice Chair, and esteemed members of the Economic Matters Committee:

FreeState Justice is a legal advocacy organization that seeks to improve the lives of low-income LGBTQ+ Marylanders, as well as advocate on issues affecting the broader LGBTQ+ community in Maryland. As part of this mission, FreeState Justice represents dozens, if not hundreds, of LGBTQ+ clients each year on matters relating to their sexual orientation or gender identity. We also strive to create an equitable Maryland where LGBTQ+ Marylanders can live full lives with dignity and respect in all spaces.

Part of creating a more equitable Maryland is establishing an equitable floor for all individuals, regardless of sexual orientation, gender, race, ethnicity, or disability. FreeState Justice thus has a long history of supporting bills such as HB0125, which would help to eliminate vestiges of gender discrimination in automobile insurance.

While actuarial tables might at first glance justify charging different rates to men and women, these tables are themselves products of the societal discrimination against women that results in women driving less, feeling less confident behind the wheel, and being more apt to be blamed for accidents that may have in fact been caused by others. Permitting differential insurance rates based on gender propagates stereotypes and gender norms that have no basis in biology.

*FreeState Justice, Inc. (formerly FreeState Legal Project, Inc., merging with Equality Maryland) is a social justice organization that works through direct legal services, legislative and policy advocacy, and community engagement to enable Marylanders across the spectrum of lesbian, gay, bisexual, transgender, and queer identities to be free to live authentically, with safety and dignity, in all communities throughout our state.*

The discriminatory impact of charging differential rates to men and women becomes especially clear—and especially prone to ridicule—when considering transgender individuals. Transgender women are routinely surprised to discover that their automobile insurance rates have gone up—sometimes significantly—after they update the gender marker on their driver’s licenses, while transgender men are sometimes happily surprised by lower insurance premiums. In neither case has the risk of the individual driver changed—only the gender marker on their drivers license has. Gender-based discrimination in automobile insurance premiums also has a pernicious effect on nonbinary Marylanders, who are often charged premiums based on their sex assigned at birth despite having access to a gender marker on their driver’s license that recognizes their nonbinary identity.

For these reasons, FreeState Justice respectfully urges a favorable report.