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The Honorable Luke Clippinger
Chair, House Judiciary Committee
100 Taylor House Office Building
Annapolis, Maryland 21401

RE: HB 594 - Civil Actions - Motor Vehicle Accidents Involving Vulnerable Individuals - Comparative Negligence - UNFAVORABLE

Dear Chairman Clippinger and Members of the Committee,

I'm writing today on behalf of the Maryland Association of Mutual Insurance Companies (MAMIC) in opposition to House Bill 594.

MAMIC is comprised of 12 mutual insurance companies that are headquartered in Maryland and neighboring states. Approximately one-half of its members are domiciled in Maryland, and are key contributors and employers in our local communities. Together, MAMIC members offer a wide variety of insurance products and services and provide coverage for thousands of Maryland citizens.

For many years, the Maryland laws of negligence have observed the doctrine of contributory negligence. This practice has served our State well, and has afforded prompt and fair settlements of personal injury claims. At the same time, the General Assembly has periodically considered and rejected attempts to change this law to one of comparative negligence. We urge you to do so again with House Bill 594.

Apart from the fundamental change from contributory negligence to comparative negligence, this bill would create potentially confusing claim situations, especially where there may be multiple claimants – some of whose claims may be eligible for determination under a comparative negligence analysis, and others who would remain subject to our current contributory negligence law.

We note that the definition of vulnerable individual cited on page 1, line 21 of the bill comprises a considerable number of persons with different circumstances. We respectfully submit that the definition is quite broad; indeed, overly broad. It would create a number of different factual scenarios, and would introduce an element of subjectivity into the claims adjudication process in determining whether a party actually qualifies as a vulnerable individual.

We believe that Maryland's current law of negligence affords fair treatment to all parties involved in a claim for damages, and that adoption of the provisions of House Bill 594 would upset the balance we have achieved in Maryland over the course of many years.

Very truly yours,



Bryson Popham