

~~2. CONVICTED OF HOMICIDE BY MOTOR VEHICLE WHILE INTOXICATED UNDER ARTICLE 27, § 388A OF THE CODE IN CONNECTION WITH THE ACCIDENT; OR~~

~~3. CONVICTED OF VEHICULAR ASSAULT IN CONNECTION WITH THE ACCIDENT.~~

~~(3) FOR PURPOSES OF THIS SUBSECTION, THERE IS A REBUTTABLE PRESUMPTION THAT A PERSON KNOWS OR HAS REASON TO KNOW THAT A MOTOR VEHICLE IS NOT COVERED BY THE REQUIRED SECURITY UNDER SUBSECTION (A) OF THIS SECTION IF SECURITY PREVIOUSLY IN EFFECT HAD LAPSED, TERMINATED, OR WAS OTHERWISE INEFFECTIVE FOR A PERIOD OF AT LEAST 30 DAYS BEFORE THE ACCIDENT.~~

~~(4) IF A PERSON HAS WAIVED THE RIGHT TO RECOVER FOR NONECONOMIC LOSS UNDER THIS SUBSECTION:~~

~~(I) THE PERSON MAY NOT PRESENT ANY EVIDENCE OF NONECONOMIC LOSS TO THE TRIER OF FACT, AND~~

~~(II) THE TRIER OF FACT MAY NOT BE INFORMED OF THE EXISTENCE OF THE WAIVER OR ITS EFFECT ON THE TOTAL AMOUNT OF THE PERSON'S RECOVERY.~~

~~SECTION 3. AND BE IT FURTHER ENACTED, That notwithstanding any other provision of law, for the period beginning July 1, 1996 through June 30, 1997, with respect to health care services, as defined in § 19-1501 of the Health General Article, relating to soft tissue injuries resulting from a motor vehicle accident, an insurer providing benefits under Article 48A, § 539 or providing coverage under Article 48A, § 541(a) and (c) may not be required to pay and a person providing such health care services may not require or request payment in excess of that provided under the federal medicare system as of January 1, 1996. If a reimbursement rate has not been calculated for the medicare system, for a health care service, the amount payable may not exceed 80% of the provider's usual and customary charge. A provider subject to this section may not bill the insured or injured person or otherwise attempt to collect any difference between the amount payable under this section and any other amount charged by the provider.~~

~~SECTION 4. AND BE IT FURTHER ENACTED, That the Insurance Fraud Division of the Maryland Insurance Administration, in consultation with the Maryland State Police, the Baltimore City Police Department, and other interested parties, shall establish as a pilot project an accident reporting unit in Baltimore City. The purpose of the accident reporting unit shall be to reduce the incident of insurance fraud. The Fraud Division is authorized to impose an annual assessment on each insurer or other entity authorized to operate in the State under Article 48A of the Code based on the written premium volume of the insurer or other entity. The assessment may be imposed for no more than 3 years, and the total of all assessments may not exceed \$500,000. The assessment shall be paid into the Insurance Fraud Division Fund and shall be used solely for the operation of the accident reporting unit.~~