

- (i) Property of the victim was stolen, converted, unlawfully obtained, or its value substantially decreased as a direct result of the crime;
- (ii) The victim suffered actual medical expenses, direct out-of-pocket losses, or loss of earnings as a direct result of the crime;
- (iii) The victim incurred medical expenses that were paid by the Department of Health and Mental Hygiene or any other governmental entity;
- (iv) A governmental entity incurred expenses in the removal, towing, transporting, preserving, storage, sale, or destruction of an abandoned vehicle;
- (v) The Criminal Injuries Compensation Board paid benefits to a victim of the crime; or
- (vi) The Department of Health and Mental Hygiene or other governmental entity paid expenses incurred under [ § 765 of this article ] § 855 OF THIS SUBTITLE.

(2) A victim is presumed to have a right to restitution under paragraph (1) of this subsection if:

- (i) The victim or the State requests restitution;
- (ii) The court is presented with competent evidence of any of items (i) through (vi) of paragraph (1) of this subsection; and
- (iii) The defendant has the ability to pay the restitution order.

(3) A court need not issue an order of restitution under this section if the court finds good cause to establish extenuating circumstances as to why an order of restitution is inappropriate in a case.

(4) The court may order that restitution be made to:

- (i) The victim;
- (ii) The Department of Health and Mental Hygiene, the Criminal Injuries Compensation Board, or any other governmental entity; or
- (iii) A third-party payor, including an insurer, which has made payment to the victim to compensate the victim for a property loss or pecuniary loss under this subsection.

(5) If the victim has been fully compensated for the victim's loss by a third-party payor, the court may issue an order of restitution directing the defendant to pay restitution to the third-party payor. Otherwise, payment of restitution to the victim has priority over payment of restitution to the third-party payor.

(6) Payment of restitution to the victim under this subsection has priority over payment of restitution to the Department of Health and Mental Hygiene or other governmental entity.