

## CHAPTER 178

(Senate Bill 199)

AN ACT to repeal and re-enact, with amendments, Section 482A (a), (b), (c) and (f) of Article 48A of the Annotated Code of Maryland (1968 Replacement Volume and 1968 Supplement), title "Insurance Code," subtitle "Casualty Insurance," to confirm that physical damage claims are recoverable under Section 482A, and to provide that the term "net direct written premiums" shall include premiums written on policies insuring against physical damage loss, and changing the name of the fund to the Motor Vehicle Security Fund, TO DEFINE THE TERM "PHYSICAL DAMAGE" and making certain technical changes therein.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That Section 482A (a), (b), (c) and (f) of Article 48A of the Annotated Code of Maryland (1968 Replacement Volume and 1968 Supplement), title "Insurance Code," subtitle "Casualty Insurance," be and it is hereby repealed and re-enacted, with amendments, to read as follows:

482A. Motor Vehicle [Liability] Security Fund.

(a) Definitions.—(1) As used in this section, unless the context or subject matter otherwise requires:

(2) "Fund" means the Motor Vehicle [Liability] Security Fund created by this section.

(3) "Fund year" means the calendar year.

(4) "Insurer" means any insurer other than an insolvent insurer, authorized to transact the kinds of business specified in Sections 68 and 69 of this Article, in connection with the ownership, operation or maintenance of motor vehicles.

(5) "Policy" means a policy issued by an insurer authorized to do business in this State, including a policy or surety bond filed under the financial responsibility laws of Article 66½ [of this Code,] insuring against *physical damage or* legal liability arising out of the ownership, operation or maintenance of motor vehicles.

(6) "Net direct written premiums" means direct gross premiums written on policies, insuring against *physical damage or* legal liability arising out of the ownership, operation or maintenance of motor vehicles which are principally garaged in this State, less return premiums thereon and dividends paid to policyholders on such direct business. For the purposes of this section premiums written by any authorized insurer on policies issued to self-insurers, whether or not designated as reinsurance contracts, shall be deemed "net direct written premiums."

(7) "Motor vehicle accident" means either an accident occurring within or without this State arising out of the ownership, operation or maintenance of a motor vehicle which is principally garaged in this State or an accident occurring within this State arising out of the ownership, operation or maintenance of a motor vehicle which is not principally garaged in this State.