

BY adding to

Article - Insurance

Section 4-117

Annotated Code of Maryland

(As enacted by Chapter ____ (H.B. 11) of the Acts of the General Assembly of 1995)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 48A - Insurance Code

490J 61B.

(A) AT THE TIME OF PAYMENT ~~AND IF, IF THE PAYMENT HAS BEEN SPECIFICALLY AUTHORIZED BY THE CLAIMANT'S ATTORNEY, AN INSURER SHALL MAY PROVIDE WRITTEN NOTICE TO A THIRD PARTY CLAIMANT OF PAYMENT OF \$2,000 OR MORE IN SETTLEMENT OF A THIRD PARTY LIABILITY CLAIM FOR BODILY INJURY IF:~~

- (1) THE CLAIMANT IS AN INDIVIDUAL; AND
- (2) ~~THE CLAIMANT IS A RESIDENT OF MARYLAND; AND~~
- (3) (2) THE PAYMENT IS DELIVERED TO THE CLAIMANT'S ATTORNEY ~~OR OTHER REPRESENTATIVE~~ BY CHECK, DRAFT, OR OTHER MEANS.

(B) THE NOTICE ~~REQUIRED BY~~ PROVIDED UNDER SUBSECTION (A) OF THIS SECTION SHALL BE SENT BY REGULAR MAIL AT LEAST 5 WORKING DAYS AFTER PAYMENT IS DELIVERED UNDER SUBSECTION (A)(2) OF THIS SECTION TO THE CLAIMANT AT THE LAST KNOWN ADDRESS OF THE CLAIMANT.

(C) THE INSURER MAY PROVIDE NOTICE TO THE CLAIMANT BY A COPY OF THE LETTER OF TRANSMITTAL TO THE CLAIMANT'S ATTORNEY ~~OR OTHER REPRESENTATIVE.~~

(D) THIS SECTION MAY NOT BE CONSTRUED TO CREATE:

- (1) A CAUSE OF ACTION FOR ANY PERSON AGAINST AN INSURER BASED ON THE INSURER'S FAILURE TO PROVIDE THE NOTICE ~~REQUIRED BY~~ UNDER THIS SECTION; OR
- (2) A DEFENSE FOR ANY PARTY AGAINST A CAUSE OF ACTION BASED ON THE INSURER'S FAILURE TO PROVIDE THE NOTICE ~~REQUIRED BY~~ UNDER THIS SECTION.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows: