

information required by this Act are not subject to certain liability; providing for the application of this Act; and generally relating to requiring the disclosure of ~~certain information on the whereabouts~~ the business address of a defendant who is insured under an insurance policy or self-insurance plan under certain circumstances.

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 6-311

Annotated Code of Maryland

(1998 Replacement Volume and 1999 Supplement)

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

Article – Courts and Judicial Proceedings

6-311.

(a) In this section, “person” has the meaning stated in Rule 1-202 of the Maryland Rules.

(b) (1) This section applies to an action against a person who had applicable insurance coverage under an insurance policy or self-insurance plan at the time the alleged liability that is the subject of the action was incurred.

(2) Subject to paragraph (1) of this subsection, this section applies to a person who is a defendant subject to a complaint, counterclaim, cross-claim, or third-party complaint.

(c) (1) Subject to subsections (d) and (e) of this section, on written request of a party to the action, an insurer or a person ~~{that}~~ **WHO** has a self-insurance plan shall provide to the party ~~ANY INFORMATION CONCERNING~~ the defendant's ~~WHEREABOUTS, INCLUDING THE DEFENDANT'S~~ last known home AND BUSINESS ~~{address}~~ **ADDRESS**, if known ~~TO THE INSURER OR THE PERSON WHO HAS THE SELF-INSURANCE PLAN.~~

(2) An insurer or a person that has a self-insurance plan, and their employees and agents, may not be civilly or criminally liable for the disclosure of information required under this subsection.

(d) Subsection (c)(1) of this section applies only if the plaintiff files a certification that:

(1) States that the defendant had applicable insurance coverage at the time the alleged liability was incurred;

(2) Sets forth in detail the reasonable efforts made, in good faith, by the plaintiff to locate the defendant; and

(3) States that the defendant is evading service of process or the whereabouts of the defendant are unknown to the plaintiff.