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**Testimony to the House Judiciary Committee  
HB 655 – Driving Without Required Security –  
Repeal of Incarceration Penalties  
Position: Favorable**

Feb. 15, 2022

The Honorable Luke Clippinger, Chair  
House Judiciary Committee  
Room 101, House Office Building  
Annapolis, MD 21401  
Cc: Members, House Judiciary Committee

**Honorable Chair Clippinger and Members of the Committee:**

I'm a consumer advocate and Executive Director of Consumer Auto, a non-profit group that works to foster safety, transparency, and fair treatment for Maryland drivers and car buyers.

Consumer Auto supports **HB 655** because we think the possibility of incarceration – with sentences of up to one year in jail for a first offense and up to two years for a subsequent violation – is an excessive and unfair sanction for the all-too-common transgression of driving without insurance. It puts too many Marylanders at risk of jail time for a non-violent, civil transgression and tends to criminalize poverty for low-income people who often struggle to pay the high cost of car insurance.

Like nearly every other state, Maryland requires drivers to carry adequate car insurance. We do so for good reason: to ensure that people who get hurt or have their property damaged on our roads can get adequate compensation. At the same time, the high cost of car insurance is a burden many Marylanders struggle to meet – and the inequitable way we allow insurers to set rates helps makes those costs a particular burden for many low- and middle-income Marylanders (especially in Baltimore, which has the highest rates in the state and among the highest average car insurance costs in the country.)

The average cost of car insurance in Maryland is now more than \$1,800/year.<sup>1</sup> But in part because of the way zip codes, credit scoring, and other factors unrelated to a person's driving record are used to help set rates, insurance is much more expensive for many drivers. For residents of Baltimore, annual costs of \$3,000, \$3,500 or more for car insurance are not rare. And in a city where about 23% of residents live on less than the federal poverty line (and inadequate public transit often makes it difficult to access economic and other opportunities without a car), paying such big bills for car insurance is a huge problem for many people.

As a result of affordability challenges like this – and for other reasons – a significant number of Marylanders drive without insurance. A 2019 Abell Foundation Study concluded that 12% of Maryland drivers are uninsured.<sup>2</sup> That same year, the Insurance Institute of America estimated that 14.1% of Maryland drivers lack coverage.<sup>3</sup>

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1 <https://www.bankrate.com/insurance/car/average-cost-of-car-insurance-in-maryland/>

2 <https://abell.org/publications/auto-insurance-lifeline-safe-driving-lower-income-marylanders>

3 <https://www.iii.org/fact-statistic/facts-statistics-uninsured-motorists>



## **Auto Consumer Alliance**

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That means tens of thousands of Marylanders are driving uninsured at any given time – and may be subject to jail time for their driving practices. Of course, struggling to afford auto insurance isn't the only reason people drive uninsured. But surely many low-income people in the Baltimore area (and other parts of the state) drive without coverage because they feel they need to do so to make a living, pay the rent, and avoid eviction and other terrible dislocations.

Threatening those drivers with jail time – and the further economic and family losses likely to follow from it – seems particularly cruel and counter-productive.

Surely Maryland can enforce its car insurance mandate without this kind of punishment.

We support HB 655 and ask for a FAVORABLE report.

Sincerely,

Franz Schneiderman  
Consumer Auto