

(4) To motor vehicle insurance, nor to insurance against liability arising out of the ownership, maintenance or use of motor vehicles.

If any kind of insurance, subdivision or combination thereof, or type of coverage, subject to this section, is also subject to regulation by another rate regulatory act of this State, an insurer to which both acts are otherwise applicable shall file with the Commissioner, a designation as to which rate regulatory act shall be applicable to it with respect to such kind of insurance, subdivision or combination thereof, or type of coverage.

(b) Making of rates.

(1) Rates shall be made in accordance with the following provisions:

(i) Manual, minimum, class rates, rating schedules or rating plans, shall be made and adopted, except in the case of specific inland marine rates on risks specially rated.

(ii) Rates shall not be excessive, inadequate or unfairly discriminatory.

(iii) Due consideration shall be given to past and prospective loss experience within and outside this State, to the conflagration and catastrophe hazards, to a reasonable margin for underwriting profits and contingencies, to dividends, savings or unabsorbed premium deposits allowed or returned by insurer to their policyholders, members or subscribers, to past and prospective expenses both country-wide and those specially applicable to the State, and to all other relevant factors within and outside this State; and in the case of fire insurance rates consideration shall be given to the experience of the fire insurance business during a period of not less than the most recent five-year period for which such experience is available.

(2) Except to the extent necessary to meet the provisions of paragraph (ii) of this subsection, uniformity among insurers in any matters within the scope of this subsection is neither required nor prohibited.

(3) Rates made in accordance with this subsection may be used subject to the provisions of this section.

(c) Rate filings.

(1) Every insurer shall file with the Commissioner, except as to inland marine risks which by general custom of the business are not written according to manual rates or rating plans, every manual, minimum, class rate, rating schedule or rating plan and every other rating rule, and every modification of any of the foregoing which it proposes to use. Every such filing shall state the proposed effective date thereof, and shall indicate the character and extent of the coverage contemplated.

When a filing is not accompanied by the information upon which the insurer supports such filing and the Commissioner does not have sufficient information to determine whether such filing meets the requirements of this section he shall require such insurer to furnish the information upon which it supports such filing and in such event the waiting period shall commence as of the date such information is furnished. The information furnished in support of a filing may include (i) the experience or judgment of the insurer or rating organi-