

ASSIGNED RISK PLANS. *Persons who but for assigned risk insurance would otherwise have to buy at rates disproportionately high for the risk to be assumed are to be eligible for assigned risk insurance.* PROVIDED HOWEVER THAT SUCH PLAN MAY DESIGNATE AS INELIGIBLE ANY CLASS OF MOTOR VEHICLE OPERATOR, OR THE OWNER OF ANY MOTOR VEHICLE USUALLY DRIVEN BY SUCH OPERATOR, WHO BY REASON OF (1) GRAVITY OR FREQUENCY OF MOTOR VEHICLE MOVING VIOLATIONS, (2) CONVICTION OF A FELONY, OR (3) PHYSICAL OR MENTAL IMPAIRMENT.

(iii) *Notwithstanding any other rate filing or plan provision to the contrary, previous cancellations or inability to obtain insurance may not be used as a basis for rates RATING, provided nothing in this paragraph shall be construed to require or permit inadequate rates. regardless of the amount of premium to be charged upon a given risk.*

(iv) *The assigned risk insurance may go into effect immediately, and shall be effective beginning at the time the risk is bound by any PROCURING LICENSED AGENT OR broker who is licensed as a resident broker OR AGENT in accordance with the provisions of Subtitle 11 of this article. Such binder of a licensed broker OR PROCURING AGENT shall be effective to immediately bind and put at risk the insurer thereafter assigned the insurance under the plan. PROVIDED HOWEVER THAT, WITH RESPECT TO THE TIME INSURANCE COVERAGE BECOMES EFFECTIVE, SUCH PLAN MAY PROVIDE THAT THE AGENT OR BROKER SEND BY REGISTERED OR CERTIFIED MAIL A BINDER NOTICE TO THE ASSIGNED RISK OFFICE AND THAT THE INSURANCE TAKE EFFECT AT 12:00 NOON OF THE SECOND DAY FOLLOWING MAILING OF THE BINDER NOTICE.*

(v) *No ELIGIBLE assigned risk may be refused or cancelled by the insurer for underwriting reasons, provided that nothing in this paragraph shall prevent reclassification of risks, subject to all of the other standards and requirements of this article, and provided further that nothing in this paragraph shall prevent correction of an error in the rate of OR CHANGE IN classification of any risk at any time. OR RECISSION FOR FRAUD OR MATERIAL MISREPRESENTATION IN PROCURING THE INSURANCE.*

(vi) *An assigned risk insurer shall not be permitted to refuse or cancel any insurance for nonpayment of premium unless (1) the net premium is not received from the broker within 10 days after a statement of net amount due is mailed by the insurer to the broker OR PROCURING AGENT, but in no event earlier than 45 30 days from the date when the assigned risk insurance became effective, or (2) the broker OR PROCURING AGENT orders cancellation for nonpayment; or (3) a lender or assignee, whether by written power of attorney or otherwise, orders cancellation. NOTWITHSTANDING ANY DEFAULT OF THE INSURED IN PREMIUM PAYMENT TO THE BROKER OR PROCURING AGENT, OR ANY CANCELLATION OR REPLACEMENT OF THE ASSIGNED RISK INSURANCE, WHETHER PRIOR TO OR AFTER THE ISSUANCE OF A POLICY, ANY BROKER OR PROCURING AGENT WHO BINDS OR PLACES AS ASSIGNED RISK IS LIABLE TO THE ASSIGNED RISK INSURER FOR PAYMENT IN FULL OF THE*