

capricious, or unfairly discriminatory reason. In the case of a cancellation of or refusal to renew a policy, provided the insured requests of the Commissioner that a review be undertaken of the insurer's action prior to the effective date of termination of the policy, and provided the Commissioner initiates action toward issuance of a finding in accord with § 234C, such policy shall remain in effect until such finding is issued. No insurer, agent or broker may cancel or refuse to underwrite or renew a particular insurance risk or class of risk except by the application of standards which are reasonably related to the insurer's economic and business purposes. At any hearing to determine whether there has been a violation of this section, the burden of persuasion shall be upon the insurer to demonstrate that the cancellation, or refusal to underwrite or renew is justified under the standards so demonstrated.

(b) No insurer shall require the existence of special conditions, facts, or situations as a condition to its acceptance or renewal of, a particular insurance risk or class of risks in an arbitrary, capricious, unfair, or discriminatory manner based in whole or part upon race, creed, color, sex, religion, national origin, place of residency, or blindness or other physical handicap or disability. Actuarial justification may be considered with respect to sex.

(c) No insurer, agent or broker shall make any inquiry as to race, creed, color, or national origin in any insurance form, questionnaire or other manner of general information which would pertain to any application for insurance.

(d) With respect to automobile liability insurance, an insurer may not:

(1) Cancel, refuse to renew or otherwise terminate coverage for any automobile insurance risk because of the existence of a traffic violation or accident more than 3 years old on the date the policy or renewal is effective; or

(2) Refuse to underwrite any automobile insurance risk because of a traffic violation or accident more than 3 years old on the date of application.

(e) An insurer may not refuse to underwrite any private passenger motor vehicle insurance risk solely because the applicant or named insured previously obtained insurance coverage from the Maryland Automobile Insurance Fund.

(F) (1) AT THE REQUEST OF THE COMMISSIONER, EVERY INSURER SHALL FILE A COPY OF ITS UNDERWRITING STANDARDS, INCLUDING ANY AMENDMENTS OR SUPPLEMENTS, WITH THE COMMISSIONER.

~~(2) THE COMMISSIONER SHALL:~~

~~(I) MAKE THE UNDERWRITING STANDARDS AVAILABLE FOR PUBLIC INSPECTION DURING REGULAR OFFICE HOURS; AND~~

~~(II) FOR A REASONABLE FEE, PROVIDE A COPY OF THE UNDERWRITING STANDARDS TO THE PUBLIC UPON REQUEST.~~

~~(3) THE COMMISSIONER SHALL ANNUALLY:~~