

record as a whole. Any party may file with the Commissioner proposed findings of fact, to be accepted or rejected by the Commissioner.

Pending such hearing and decision thereon the Commissioner may suspend or postpone the effective date of his previous action.

Nothing contained in this subtitle shall require the observance at any hearing of formal rules of pleading or evidence.

(2) All orders or decisions of the Commissioner shall be subject to review by appeal to the Baltimore City Court. Such an appeal shall be commenced by filing a notice of appeal within thirty (30) days after the rendition of such order or decision with such court and a copy of same similarly filed with the Commissioner, and if not so commenced, the right to appeal shall no longer exist. The Commissioner shall be made a party to every such appeal.

Upon filing of a copy of the notice of appeal with the Commissioner he shall prepare or cause to be prepared an official record, which may be in typewritten form, certified by him which shall contain a copy of all proceedings, the findings and order of the Commissioner, and transcript of any testimony and exhibits or records thereof. If no hearing was held by the Commissioner, on the matter which is the subject of appeal, the Commissioner shall in like manner prepare and certify a transcript of the files in his office pertaining to such matter. Within thirty (30) days after the copy of notice of appeal was filed with the Commissioner he shall file the official record with the Court in which the appeal is pending.

When any ruling, order or decision of the Commissioner relates to an increase or decrease of premium or rate or to a change in any rating system, the filing of the notice of appeal shall, pending the final determination of the issue, act as a stay of any such ruling, order or decision, except where such ruling, order or decision approves or permits a filing of an insurer or rating organization.

The Baltimore City Court shall hear and decide said appeal within sixty (60) days after the date of the filing of the notice of appeal, and shall affirm, reverse or modify the Commissioner's order or decision appealed from.

If the Baltimore City Court finds that the Commissioner's order or decision is not supported by the preponderance of the evidence on consideration of the record as a whole, or is not in accordance with law, the Court shall reverse or modify the Commissioner's order or decision in whole or in part.

An appeal to the Court of Appeals of Maryland may be taken from the decision of the Baltimore City Court as in other civil cases.

(3) The provisions of this section shall govern hearings, orders and appeals in matters arising under the provisions of this subtitle. Sections 35, 36, 37, 38, 39 and 40 shall not apply to rating and rating organizations.

17. STOCK AND MUTUAL INSURERS

246. Scope of subtitle.

This subtitle shall apply to stock insurers and mutual insurers engaging in or proposing to engage in the insurance business in Maryland.