

ANY ESTIMATED INSUFFICIENCY IN ACCORDANCE WITH §243A(C). ON OR BEFORE NOVEMBER 15 OF ANY YEAR IN WHICH THE BOARD RECEIVES SUCH A CERTIFICATION, IT SHALL:

(1) DETERMINE FROM THE INSURANCE COMMISSIONER THE AMOUNT OF NET DIRECT PREMIUMS WRITTEN BY EACH MEMBER OF THE ASSOCIATION DURING THE PRECEDING CALENDAR YEAR. "NET DIRECT PREMIUMS" MEANS DIRECT GROSS PREMIUMS WRITTEN IN THIS STATE ON POLICIES OF MOTOP VEHICLE LIABILITY AND PHYSICAL DAMAGE INSURANCE LESS RETURN PREMIUMS AND DIVIDENDS PAID OF CREDITED TO POLICYHOLDERS WITH RESPECT TO THESE POLICIES.

(2) ASSESS AND COLLECT FROM EACH MEMBER OF THE ASSOCIATION AN AMOUNT EQUAL TO THE SAME PROPORTION OF THE EXPECTED INSUFFICIENCY OF THE FUND CERTIFIED TO THE ASSOCIATION AS THE MEMBER'S NET DIRECT WRITTEN PREMIUMS DURING THE PRECEDING CALENDAR YEAR BEARS TO THE AGGREGATE NET DIRECT WRITTEN PREMIUMS OF ALL MEMBERS OF THE ASSOCIATION DURING THAT PRECEDING CALENDAR YEAR. HOWEVER, THE ASSESSMENT AGAINST A MEMBER MAY NOT EXCEED 4 PERCENT OF THE AMOUNT OF ITS SAID NET DIRECT WRITTEN PREMIUMS.

(3) DETERMINE FROM THE INSURANCE COMMISSIONER THE AMOUNT OF ANY GROSS SURPLUS RECOUPMENT OR NET UNREALIZED RECOUPMENT REPORTED BY EACH MEMBER OF THE ASSOCIATION FOR THE PRECEDING 12 MONTHS ENDING SEPTEMBER 30, IN ACCORDANCE WITH SUBSECTION (F).

(4) PREPARE AND SUBMIT TO THE INSURANCE COMMISSIONER A SCHEDULE FOR EACH MEMBER SHOWING:

(I) THE AMOUNT OF THE TOTAL ESTIMATED INSUFFICIENCY OF THE FUND CERTIFIED TO THE ASSOCIATION.

(II) THE MEMBER'S ASSESSMENT ON ACCOUNT OF THAT INSUFFICIENCY;

(III) THE AMOUNT OF ADJUSTMENT FOR ANY GROSS SURPLUS RECOUPMENT OR NET UNREALIZED RECOUPMENT FOR THE PRECEDING CALENDAR YEAR;

(IV) THE MEMBER'S NET ASSESSMENT, CALCULATED BY SUBTRACTING THE GROSS SURPLUS RECOUPMENT FROM, OR ADDING THE NET UNREALIZED RECOUPMENT TO, THE MEMBER'S ASSESSMENT;

(V) THE NET DIRECT WRITTEN PREMIUMS OF THE MEMBER FOR THE PRECEDING CALENDAR YEAR; AND

(VI) THE PERCENTAGE THAT THE MEMBER'S NET ASSESSMENT BEARS TO ITS NET DIRECT WRITTEN PREMIUMS FOR THE PRECEDING CALENDAR YEAR.

(E) THE INSURANCE COMMISSIONER SHALL PROMPTLY REVIEW THE SCHEDULES SUBMITTED BY THE ASSOCIATION. UNLESS THE COMMISSIONER FINDS THE SCHEDULE TO BE