

(2) If an insurer fails to return any disallowed premium or fails to pay interest to an insured in violation of paragraph (1) of this subsection, the insurer is in violation of this article and subject to the penalties under § 4-113(d) of this article.

[(k)] A party to a proceeding under this section may appeal the decision of the Commissioner in accordance with § 2-215 of this article.

[(l)] The Commissioner may adopt regulations that exclude from the requirements of this section certain types of premium increases, except for premium increases due to:

- (1) an accident;
- (2) a violation of the Maryland vehicle law or the vehicle law of another state;
- (3) the claims history of the insured;
- (4) the credit history or the credit score of the insured;
- (5) a retiering of the insured; or
- (6) a surcharge.]

27-605.1.

(A) IN THIS SECTION, "INCREASE IN PREMIUM" AND "PREMIUM INCREASE" INCLUDE AN INCREASE IN TOTAL PREMIUM FOR ANY COVERAGE ON A POLICY DUE TO:

- (1) A SURCHARGE;
- (2) RETIERING OR OTHER RECLASSIFICATION OF AN INSURED; OR
- (3) REMOVAL OR REDUCTION OF A DISCOUNT.

(B) (1) THIS SECTION APPLIES ONLY TO PRIVATE PASSENGER MOTOR VEHICLE LIABILITY INSURANCE.

(2) THIS SECTION DOES NOT APPLY TO THE MARYLAND AUTOMOBILE INSURANCE FUND.

(C) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, AT LEAST 45 DAYS BEFORE THE EFFECTIVE DATE OF AN INCREASE IN THE TOTAL PREMIUM FOR A POLICY OF PRIVATE PASSENGER MOTOR VEHICLE LIABILITY INSURANCE, THE INSURER SHALL SEND WRITTEN NOTICE OF THE PREMIUM INCREASE TO THE INSURED AT THE LAST KNOWN ADDRESS OF THE INSURED BY CERTIFICATE OF MAILING MAIL.

(2) THE NOTICE REQUIRED BY PARAGRAPH (1) OF THIS SUBSECTION NEED NOT BE GIVEN IF THE PREMIUM INCREASE IS PART OF A GENERAL INCREASE IN PREMIUMS APPROVED BY THE COMMISSIONER THAT IS FILED IN ACCORDANCE WITH TITLE 11 OF THIS ARTICLE AND DOES NOT RESULT FROM A RECLASSIFICATION OF THE INSURED.