

necessary to enable him to determine, in accordance with the provisions of this article, whether or not a certificate of authority should be issued to the applicant. It shall be executed under oath by the applicant, or if other than an individual, by an authorized officer of the applicant, and the information filed with the application shall include the following:

(4) A copy of its service contract, the terms of which [shall not] MAY NOT:

(i) Contain inconsistent, ambiguous or misleading clauses or exceptions or conditions which deceptively affect the risk purported to be assumed or the service to be performed;

(ii) Contain any inequitable provision or provisions without substantial benefit to the member or subscriber; [or]

(iii) Provide for the payment of fees which are unreasonable in relation to the services agreed to be performed;
OR

(iv) Offer reimbursement only, unless the contract clearly states that no road service will be provided.

DRAFTER'S NOTE: This corrects antiquated language and corrects the misplacement of a conjunction in Article 48B, § 3(b)(4).

Ch. 369 of the Acts of 1975 failed to move the disjunctive conjunction, "or", when it added paragraph (4)(iv) to Article 48B, § 3(b). The antiquated language was contained in Ch. 473 of the Acts of 1971.

The misplaced conjunction was noted by the Michie Company. The antiquated language was noted by the professional staff of the Legislative Division of the Department of Legislative Reference.

4.

(a) Within a reasonable time after an application for a certificate of authority is filed, the Commissioner shall issue a certificate to the applicant unless:

(1) The applicant has not met all of the requirements of this article; [or]

(2) The applicant does not, in the judgment of the Commissioner, have sufficient financial responsibility to engage in business as a motor club; or