

~~{1986-Replacement-Volume-and-1987-Supplement}~~

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 48A - Insurance Code

234A.

(E) ~~{1}~~ 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.

~~{2}--THIS--SUBSECTION--ONLY--APPLIES--TO--CASES--WHERE--THE--APPLICANT--OR--NAMED--INSURED:~~

~~{i}--HAS--BEEN--INSURED--BY--THE--MARYLAND--AUTOMOBILE--INSURANCE--FUND--FOR--THE--3--YEARS--IMMEDIATELY--PRECEDING--THE--DATE--ON--WHICH--THE--POLICY--WOULD--BECOME--EFFECTIVE,--AND~~

~~{ii}--HAS--HAD--NO--POINTS--ASSESSED--AGAINST--HIM--UNDER--§--16--402--OF--THE--TRANSPORTATION--ARTICLE--DURING--THE--3--YEARS--IMMEDIATELY--PRECEDING--THE--DATE--OF--THE--APPLICATION.~~

243B:

~~{a}{1}--Subject---to---the---provisions--of--this--subtitle--generally--and--§--243B--of--this--subtitle--in--particular,--the--Fund--is--authorized--and--shall--sell,--issue,--and--deliver,--upon--payment--of--the--premium--set--by--the--Fund,--a--policy--of--automobile--liability--insurance--to--any--Maryland--resident--who--owns--an--automobile--validly--registered--with--the--Motor--Vehicle--Administrator,--or--has--a--valid--license--to--operate--an--automobile--issued--by--the--Motor--Vehicle--Administrator,--and--who--does--not--owe--to--the--Fund--any--unpaid--insurance--premium--with--respect--to--a--prior--expired--or--cancelled--policy,--and--who--either--(i)--has--in--good--faith--attempted--to--obtain--a--policy--of--automobile--liability--insurance--from--at--least--two--private--insurers--authorized--to--write--such--a--policy--in--this--State--and--has--been--rejected--or--refused--such--a--policy--by--two--such--private--insurers--for--any--reason--other--than--nonpayment--of--premiums,--or--(ii)--who--has--had--a--policy--of--automobile--liability--insurance--cancelled--or--nonrenewed--for--any--reason--other--than--nonpayment--of--premiums,--by--a--private--insurer--authorized--to--write--such--a--policy--in--this--State,---The--purpose--of--the--Fund--is--to--provide--automobile--insurance--to--those--eligible--persons--who--are--unable--to--obtain--it--in--the--private--market.~~

~~{2}--THE--FUND--MAY--NOT--SELL--OR--ISSUE--A--POLICY--OF--PRIVATE--PASSENGER--MOTOR--VEHICLE--LIABILITY--INSURANCE--TO--ANY--APPLICANT--WHERE:~~