

(d) An insured shall have the right to protest the proposed action of the insurer by signing 2 copies of the notice and sending them to the Commissioner within 30 days after [receipt] THE DATE OF MAILING of the notice. The Commissioner shall, upon receipt of a protest, notify the insurer of the filing of the protest.

(e) A protest duly filed shall stay the proposed action of the insurer pending a final determination [thereof] by the Commissioner, and the insurer shall [keep] MAINTAIN in [full] force [and effect] the same coverage and premium in effect on the day the notice of proposed change was sent until [such] THE final determination is made, provided that any lawful premium due or becoming due prior to [such] THE determination is paid.

(f) [The] BASED UPON THE INFORMATION CONTAINED IN THE NOTICE, THE Commissioner shall [make a determination from the information contained in the notice] DETERMINE whether the protest has merit and[, upon such a finding,] shall either dismiss the protest or disallow the action of the insurer [and]. THE COMMISSIONER shall promptly notify the insurer and the insured in writing of his action. [The aggrieved party, within] WITHIN 30 days after [receipt] THE DATE OF MAILING of the Commissioner's notice of action, THE AGGRIEVED PARTY may request a hearing. The Commissioner shall conduct a hearing within a reasonable time after the request and shall give not less than 10 days written notice of the time and place of the hearing. At the hearing the insurer has the burden of proving its proposed action to be justified, and, in doing so, may rely only upon the reasons set forth in its notice to the insured.

(g) The Commissioner shall issue an order within 30 days after termination of the hearing. If the Commissioner finds the proposed action to be justified, he shall dismiss the protest and allow the proposed action to be taken on the later of (i) its proposed effective date, or (ii) [20] 30 days after the date of the determination. If the Commissioner finds the proposed action to be unjustified, he shall disallow the action, and may, in addition, order the insurer to pay reasonable counsel fees incurred by the insured for representation at the hearing as he may deem appropriate. The Commissioner may delegate the duties and powers conferred in this section to 1 or more employees or hearing examiners.

(h) Any party may appeal [to a court of law] the decision of the Commissioner in accordance with § 40 of this article.

240C-1.

(a) (1) In any case where an insurer is authorized under this article to cancel or nonrenew or increase the premiums on an automobile liability insurance policy ISSUED IN THIS STATE TO ANY RESIDENT OF A HOUSEHOLD -AS-SET-FORTH-IN-§-240AA, under which