

VETOES

-3-- 4. THAT A FAILURE OF THE FIRST NAMED INSURED TO MAKE A WAIVER REQUIRES AN INSURER TO PROVIDE ALL COVERAGES AND BENEFITS DESCRIBED UNDER SUBSECTIONS (B) AND (C) OF THIS SECTION; AND

-4-- 5. THAT AN INSURER MAY NOT REFUSE TO UNDERWRITE A PERSON BECAUSE THE PERSON REFUSES TO WAIVE THE COVERAGE AND BENEFITS DESCRIBED UNDER THIS SECTION; AND

6. THAT A WAIVER MADE UNDER THIS SUBSECTION MUST BE AN AFFIRMATIVE, WRITTEN WAIVER.

(3) FAILURE OF THE FIRST NAMED INSURED TO MAKE AN AFFIRMATIVE WRITTEN WAIVER UNDER PARAGRAPH (1) OF THIS SUBSECTION REQUIRES AN INSURER TO PROVIDE ALL THE COVERAGES AND BENEFITS DESCRIBED UNDER SUBSECTIONS (B) AND (C) OF THIS SECTION.

(G) (1) AN INSURER MAY NOT REFUSE TO UNDERWRITE A PERSON BECAUSE THE PERSON REFUSES TO WAIVE THE COVERAGE AND BENEFITS DESCRIBED UNDER THIS SECTION.

(2) A VIOLATION OF THIS SUBSECTION IS SUBJECT TO THE PENALTIES PROVIDED UNDER §§ 55 AND 55A OF THIS ARTICLE.

540.

(a) The benefits [required] DESCRIBED under § 539 of this [article] SUBTITLE shall be payable without regard to:

(1) [the] THE fault or nonfault of the named insured or the recipient in causing or contributing to the accident[, and without regard to]; AND

(2) [any] ANY collateral source of medical, hospital, or wage continuation benefits. [Where]

(B) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, WHERE the insured has coverage for both the benefits [required] DESCRIBED under § 539 OF THIS SUBTITLE and the collateral benefits, the insurer or insurers may coordinate the policies to provide for nonduplication of [such] THE benefits[; subject, however], SUBJECT to appropriate reductions in premiums for one or both of said coverages approved by the [Insurance] Commissioner[, and the].

(2) (I) THE named insured shall have the right to elect or reject the coordination of policies and nonduplication of benefits.