

insurance in a company where no commissions are payable by the insurer. Nor shall it be deemed to prohibit the charging and collection, by agents or brokers, of actual expenses incurred in the placement of automobile insurance through the Maryland Automobile Insurance Fund with a maximum charge of \$10 plus the actual charge by the Motor Vehicle Administration for any driving record required to be presented with the application, unless provided otherwise by the Fund.

(c) No insurer shall raise the policy limits of coverage, the effect of which could increase the premium without the prior consent of the insured.

~~(D) NOTWITHSTANDING SUBSECTION (A) OF THIS SECTION, A SURPLUS LINE BROKER LICENSED UNDER SUBTITLE 13 OF THIS ARTICLE MAY RECOUP FROM THE PROSPECTIVE INSURED THE ACTUAL COST OF AN INSPECTION REQUIRED FOR THE PLACEMENT OF SURPLUS LINE INSURANCE FOR A RISK IF:~~

- ~~(1) THE INSPECTION IS REQUIRED BY THE INSURER;~~
- ~~(2) THE COST OF THE INSPECTION IS ACTUALLY INCURRED BY THE SURPLUS LINE BROKER AND NOT RETAINED BY THE SURPLUS LINE BROKER;~~
- ~~(3) THE SURPLUS LINE BROKER HAS NO FINANCIAL INTEREST IN, IS NOT AFFILIATED IN ANY MANNER WITH, AND DOES NOT RECEIVE ANY COMPENSATION FROM THE PERSON PERFORMING THE INSPECTION; AND~~
- ~~(4) THE COST OF THE INSPECTION IS DOCUMENTED AND VERIFIABLE.~~

~~(E) (D) NOTWITHSTANDING SUBSECTION (A) OF THIS SECTION, A SURPLUS LINE BROKER LICENSED UNDER SUBTITLE 13 OF THIS ARTICLE MAY CHARGE A REASONABLE POLICY FEE NOT TO EXCEED \$100 \$75 ON ANY POLICY PROCURED BY A QUALIFIED AGENT OR BROKER TO WHOM THE SURPLUS LINES BROKER PAYS A COMMISSION.~~

~~(E) A POLICY FEE CHARGED IN ACCORDANCE WITH THIS SECTION MUST BE REASONABLY RELATED TO THE COST OF UNDERWRITING, ISSUING, PROCESSING, AND SERVICING THE POLICY BY THE SURPLUS LINE BROKER FOR THE SURPLUS LINE INSURER.~~

(F) IRRESPECTIVE OF THE NUMBER OF INSURERS PARTICIPATING ON A RISK:

~~(1) ONLY ONE INSPECTION FEE MAY BE CHARGED TO RECOUP THE ACTUAL COST OF AN INSPECTION UNDER SUBSECTION (D) OF THIS SECTION FOR EACH POLICY OR CERTIFICATE OF COVERAGE; AND~~

~~(2) ONLY ONE POLICY FEE PROVIDED UNDER SUBSECTION (E) (D) OF THIS SECTION MAY BE CHARGED FOR EACH POLICY OR CERTIFICATE OF COVERAGE.~~

(G) THE SURPLUS LINE BROKER SHALL MAKE A CLEAR AND CONSPICUOUS WRITTEN DISCLOSURE ON A FORM APPROVED BY THE INSURANCE COMMISSIONER OF:

- (1) ANY INITIAL INSPECTION FEE;
- (2) THE TOTAL AMOUNT OF THE POLICY FEE; AND