

In subsection (a) of this section, the former phrase "[e]xcept when previously suspended or revoked" is deleted as unnecessary. A certificate of qualification that has been suspended or revoked is not in effect and therefore cannot be renewed.

Also in subsection (a) of this section, the words "original and renewal", which formerly modified "certificates of qualification", are deleted as unnecessary since, absent a limitation, the reference to a "certificate of qualification" includes both an original and renewal certificate of qualification.

Defined terms: "Certificate of qualification" § 8-201
"Commissioner" § 1-101

8-206. DENIALS, REFUSALS TO RENEW, SUSPENSIONS, AND REVOCATIONS;
PENALTIES.

(A) MANDATORY DENIALS AND REFUSALS TO RENEW — GROUNDS.

THE COMMISSIONER SHALL DENY OR REFUSE TO RENEW A CERTIFICATE OF QUALIFICATION IF THE APPLICANT OR HOLDER OF THE CERTIFICATE OF QUALIFICATION:

(1) HAS WILLFULLY VIOLATED THIS ARTICLE OR ANOTHER LAW OF THE STATE THAT RELATES TO INSURANCE;

(2) HAS INTENTIONALLY MISREPRESENTED OR CONCEALED A MATERIAL FACT IN AN APPLICATION FOR A CERTIFICATE OF QUALIFICATION;

(3) HAS OBTAINED OR ATTEMPTED TO OBTAIN A CERTIFICATE OF QUALIFICATION BY MISREPRESENTATION, CONCEALMENT, OR OTHER FRAUD;

(4) HAS MISAPPROPRIATED, CONVERTED, OR UNLAWFULLY WITHHELD MONEY THAT BELONGS TO AN INSURER, AGENT, BROKER, BENEFICIARY, OR INSURED;

(5) HAS WILLFULLY AND MATERIALLY MISREPRESENTED THE PROVISIONS OF A POLICY;

(6) HAS COMMITTED FRAUDULENT OR DISHONEST PRACTICES IN THE INSURANCE BUSINESS;

(7) HAS PARTICIPATED, WITH OR WITHOUT THE KNOWLEDGE OF AN INSURER, IN SELLING MOTOR VEHICLE INSURANCE WITHOUT THE INTENTION TO SELL THE INSURANCE, AS EVIDENCED BY A PERSISTENT PATTERN OF FILING CERTIFICATES OF INSURANCE TOGETHER WITH OR CLOSELY FOLLOWED BY CANCELLATION NOTICES FOR THE INSURANCE;

(8) HAS BEEN CONVICTED BY FINAL JUDGMENT IN ANY STATE OR FEDERAL COURT OF A CRIME INVOLVING MORAL TURPITUDE;

(9) HAS KNOWINGLY PARTICIPATED IN WRITING OR ISSUING SUBSTANTIAL OVER-INSURANCE OF PROPERTY INSURANCE RISKS;