

## Section 230(h)

Annotated Code of Maryland

(1994 Replacement Volume and 1994 Supplement)

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

## Article 48A – Insurance Code

230.

(b) (1) A person willfully may not collect as premium or charge for insurance any sum in excess of or less than the premium or charge applicable to the insurance, in accordance with the applicable classifications and rates as filed with and approved by the Commissioner; or, in cases where classifications, premiums, or rates are not required by this article to be so filed and approved, the premiums and charges shall not be in excess of or less than those specified in the policy and as fixed by the insurer.

(2) [This provision] THE PROVISIONS OF PARAGRAPH (1) OF THIS SUBSECTION may not be deemed to prohibit the charging and collection, by surplus line brokers licensed under Subtitle 13 of this article, of the amount of applicable State and federal taxes in addition to the premium required by the insurer.

(3) [Nor shall it] THE PROVISIONS OF PARAGRAPH (1) OF THIS SUBSECTION MAY NOT be deemed to prohibit the charging and collection by a life insurer, of amounts actually to be expended for medical examination of an applicant for life insurance or for reinstatement of a life insurance policy.

(4) [Nor may it] THE PROVISIONS OF PARAGRAPH (1) OF THIS SUBSECTION MAY NOT be deemed to prohibit brokers from charging a fee, not to exceed 15 percent of the policy premium, for services rendered in the replacement of insurance in a company where no commissions are payable by the insurer.

(5) [Nor shall it] THE PROVISIONS OF PARAGRAPH (1) OF THIS SUBSECTION MAY NOT 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]:

(I) WITH a maximum charge of ~~+\$10+~~ \$20 plus \$1 MORE THAN 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; OR

(II) AS PROVIDED IN SUBSECTION (H) OF THIS SECTION.

(H) (1) (I) IN THIS SUBSECTION, "ACCIDENT HISTORY REPORT" MEANS A REPORT THAT DETAILS A PERSON'S ACCIDENT HISTORY.

(II) "ACCIDENT HISTORY REPORT" INCLUDES A COMPREHENSIVE LOSS UNDERWRITING EXCHANGE AUTOMOBILE REPORT (CLUE REPORT).

(III) "ACCIDENT HISTORY REPORT" DOES NOT INCLUDE A REPORT THAT DETAILS A PERSON'S CREDIT STANDING OR HISTORY.