

## Article 48A - Insurance Code

## 240AA-

(b) ~~An insurer intending to take an action subject to the provisions of this section shall, on or before 45 days prior to the proposed effective date of the action, send written notice of its intended action to the insured at his last known address. A written notice of cancellation or nonrenewal shall be sent by certified mail. All other notices of action subject to the provisions of this section shall be sent by certificate of mailing. The notice shall be in triplicate, and shall state in clear and specific terms, on a form approved by the Commissioner:~~

~~(1) The proposed action to be taken, including, if the action is an increase in premium or reduction in coverage, the amount of increase and the type of coverage to which it is applicable, or the type of coverage reduced and the extent of the reduction;~~

~~(2) The proposed effective date of the action;~~

~~(3) The insurer's actual reason or reasons for proposing to take such action. The statement of reasons shall be sufficiently clear and specific so that a person of average intelligence can identify the basis for the insurer's decision, without making further inquiry. Generalized terms such as "personal habits", "living conditions", "poor morals", or "violation or accident record" shall not suffice to meet the requirements of this section;~~

~~(4) If there is coupled with the notice an offer to continue or renew the policy in accordance with § 240C-1 of this subtitle, the name of the person or persons to be excluded from coverage, and the premium amount if the policy is continued or renewed with such person or persons excluded from coverage;~~

~~(5) The right of the insured to replace the insurance through the Maryland Automobile Insurance Fund, and the current address and telephone number of the Fund;~~

~~(6) The right of the insured to protest the proposed action and request a hearing thereon before the Commissioner by signing 2 copies of the notice and sending them to the Commissioner within 30 days after the date of mailing of the notice;~~

~~(7) That if a protest is filed by the insured, the current insurance will remain in effect until a determination is made by the Commissioner upon payment of any lawful premium due or becoming due prior to the determination; [and]~~

~~(8) The authority of the Commissioner to award reasonable counsel fees to the insured for services rendered to the insured in connection with any such hearing if he finds the proposed action of the insurer to be unjustified; AND~~

~~(9) THAT IF THE INSURED FAILS TO REPLACE THE INSURANCE BEFORE THE PROPOSED EFFECTIVE DATE OF THE ACTION, REGISTRATION PLATES SHALL BE SURRENDERED TO THE MOTOR VEHICLE ADMINISTRATION AND THAT FAILURE TO DO SO WILL RESULT IN SUSPENSION OF CURRENT AND FUTURE REGISTRATION PRIVILEGES AND THE ASSESSMENT OF UNINSURED MOTORIST PENALTIES AS PROVIDED IN § 17-106 OF THE TRANSPORTATION ARTICLE.~~