

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

243.

*(c) The Board of Trustees of the Fund shall consist of 11 persons, selected as follows. The Executive Director is a member of the Board of Trustees, and, except as provided in subsection (b), has the power to vote. Five members shall be appointed by the Governor with the advice and consent of the Senate, and serve at the pleasure of the Governor. A MEMBER APPOINTED BY THE GOVERNOR MAY NOT BE ACTIVELY AFFILIATED WITH AN INSURANCE AGENCY, INSURANCE BROKER, INSURER, OR PREMIUM FINANCE COMPANY IF THE INSURANCE AGENCY, INSURANCE BROKER, INSURER, OR PREMIUM FINANCE COMPANY DOES BUSINESS WITH THE FUND. Five members shall be appointed by the Board of Directors of the Industry Automobile Insurance Association in accordance with § 243M. Two of the 5 Industry Automobile Insurance Association members shall be residents of this State. The Chairman of the Board of Trustees shall be selected by the Board of Trustees. However for each successive term, the chairmanship shall alternate between a gubernatorial appointee and an Industry Automobile Insurance Association appointee. The Executive Director may not be Chairman of the Board of Trustees. The Board of Trustees shall advise the Executive Director with respect to his exercise of the powers and duties conferred on him by this subtitle. The Board of Trustees shall formulate policy for the Fund. Each trustee who is not otherwise an officer or employee of the State shall receive per diem compensation set by the Board of Public Works for each day actually engaged in the discharge of his official duties as a trustee, and each trustee shall receive reimbursement for all necessary and proper expenses.*

243B.

(a) (1) Subject to the provisions of this subtitle generally and § 243D of this subtitle in particular, the Fund is authorized and shall sell, issue, and deliver, upon payment of the premium set by the Fund, a policy of automobile liability insurance to any Maryland resident:

(i) Who owns an automobile validly registered with the Motor Vehicle Administration, or has a valid license to operate an automobile issued by the Motor Vehicle Administration;

(ii) Who does not owe to the Fund either any unpaid insurance premium with respect to a prior expired or cancelled policy, or claim payments obtained by fraud; and

(iii) Who either:

1. Has in good faith attempted to obtain a policy of automobile liability insurance from at least two private insurers authorized to write such a policy in this State and has been rejected or refused such a policy by two such private insurers for any reason other than nonpayment of premiums; or