

2. Has had a policy of automobile liability insurance cancelled or nonrenewed for any reason other than nonpayment of premiums, by a private insurer authorized to write such a policy in this State.

(2) For the purpose of this section only[,]:

(I) "Maryland resident" shall include a person to whom a nonresident permit is issued under § 13-402.1(e) of the Transportation Article; AND

(II) ~~A LESSEE UNDER A LEASE NOT INTENDED AS SECURITY "LEASE NOT INTENDED AS SECURITY", AS DEFINED IN § 11-127.1(B) OF THE TRANSPORTATION ARTICLE, SHALL BE CONSIDERED AN OWNER OF THE AUTOMOBILE.~~

(3) The purpose of the Fund is to provide automobile insurance to those eligible persons who are unable to obtain it in the private market.

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(d) Beginning January 1, 1976, any policyholder who has completed any three continuous years in the Fund in which [he] THE POLICYHOLDER has not had any moving traffic violations, not more than one point, and has not had any chargeable traffic accident, is entitled to renewal coverage from the Fund at rates reasonably comparable to those charged by standard insurers and approved by the Commissioner but may not be entitled to any safe driver credit as defined in the rules and rate schedules of the Maryland Automobile Insurance Fund filed with the Commissioner of Insurance provided, however, in determining ELIGIBILITY FOR THIS RATE [whether the insured has completed 3 continuous years], the Fund:

(1) [may] MAY not consider a lapse in coverage of 30 days or less; AND

(2) MAY NOT CONSIDER THE ADDITION OF A DRIVER TO THE POLICY WHO HAS CERTIFIED IN A MANNER APPROVED BY THE FUND FOR THE IMMEDIATELY PRECEDING 3 CONTINUOUS YEARS THAT THE DRIVER HAS NOT HAD ANY MOVING TRAFFIC VIOLATIONS, NOT MORE THAN ONE POINT, AND HAS NOT HAD ANY CHARGEABLE TRAFFIC ACCIDENT.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health and safety, has been passed by a yea and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.

Approved May 9, 1995.