~~(1) FILE A MARKETING PLAN WITH THE COMMISSIONER ON OCTOBER 1, 1996 OR OCTOBER 1, 1997; AND~~

~~(2) IMPLEMENT THE MARKETING PLAN ON JANUARY 1, 1997 OR JANUARY 1, 1998.~~

~~245B.~~

~~(A) (1) ON OR BEFORE OCTOBER 1, 1998 AND EACH OCTOBER 1 THEREAFTER, AN INSURER THAT HAS BEEN DESIGNATED AS A MAJOR INSURER ON THE PRECEDING AUGUST 15 AND DID NOT ACHIEVE ITS COMPETITIVE URBAN MARKET SHARE IN THE PRECEDING CALENDAR YEAR SHALL FILE A MARKETING PLAN FOR BALTIMORE CITY AND ITS PRIVATE PASSENGER AUTOMOBILE UNDERWRITING GUIDELINES WITH THE COMMISSIONER.~~

~~(2) THE COMMISSIONER SHALL REVIEW THE MARKETING PLAN AND UNDERWRITING GUIDELINES TO DETERMINE WHETHER THE IMPLEMENTATION OF THE MARKETING PLAN AND UNDERWRITING GUIDELINES WILL REASONABLY RESULT IN THE MAJOR INSURER ACHIEVING ITS COMPETITIVE URBAN MARKET SHARE.~~

~~(3) IF THE COMMISSIONER HAS NOT DISAPPROVED A MARKETING PLAN AND UNDERWRITING GUIDELINES WITHIN 30 DAYS AFTER ITS SUBMISSION, THE MARKETING PLAN AND UNDERWRITING GUIDELINES SHALL BE DEEMED APPROVED.~~

~~(4) (I) IF A MARKETING PLAN OR UNDERWRITING GUIDELINES DO NOT CONTAIN SUFFICIENT INFORMATION FOR THE COMMISSIONER TO MAKE A DETERMINATION OF WHETHER THEY WILL REASONABLY RESULT IN THE MAJOR INSURER ACHIEVING ITS COMPETITIVE URBAN MARKET SHARE, THE COMMISSIONER SHALL REQUIRE THE INSURER TO FURNISH THE NEEDED INFORMATION WITHIN 30 DAYS.~~

~~(II) IF ADDITIONAL INFORMATION IS REQUIRED BY THE COMMISSIONER UNDER THIS PARAGRAPH, THE TIME PERIOD FOR APPROVAL, DISAPPROVAL, OR DEEMED APPROVAL RUNS FROM THE DATE THE ADDITIONAL INFORMATION IS SUBMITTED.~~

~~(5) IF THE COMMISSIONER DETERMINES THAT THE MARKETING PLAN AND UNDERWRITING GUIDELINES WILL NOT REASONABLY RESULT IN A MAJOR INSURER ACHIEVING ITS COMPETITIVE URBAN MARKET SHARE, THE COMMISSIONER SHALL MODIFY THE MARKETING PLAN AND UNDERWRITING GUIDELINES IN ANY MANNER THE COMMISSIONER DEEMS APPROPRIATE, TAKING INTO ACCOUNT ALL FACTORS INCLUDING:~~

~~(I) RATES, FORMS, AND RATING TERRITORIES;~~

~~(II) INSURER'S AGENCY APPOINTMENTS, COMPANY STRUCTURE, AND MARKETING STRATEGY;~~

~~(III) INSURER LOSS RATIOS AND UNDERWRITING AND INVESTMENT PROFITS OR LOSSES;~~