

~~(IV) CHANGES IN MARKET SHARE AND TYPES OF RISKS UNDERWRITTEN; AND~~

~~(V) ANY OTHER FACTORS THE COMMISSIONER DEEMS RELEVANT TO THE MAJOR CARRIER ACHIEVING ITS COMPETITIVE URBAN MARKET SHARE.~~

~~(B) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, FROM OCTOBER 1, 1998 THROUGH SEPTEMBER 30, 1999 AND FROM EACH OCTOBER 1 THROUGH SEPTEMBER 30 THEREAFTER, ANY RATE FILING FOR PRIVATE PASSENGER MOTOR VEHICLE POLICIES SUBMITTED BY A MAJOR CARRIER SHALL BE SUBJECT TO § 242 OF THIS ARTICLE IF THE MAJOR INSURER DID NOT ACHIEVE ITS COMPETITIVE URBAN MARKET SHARE IN THE PRECEDING CALENDAR YEAR.~~

~~(C) (1) ON OR BEFORE SEPTEMBER 1, 1998, AND EACH SEPTEMBER 1 THEREAFTER, A MAJOR CARRIER MAY FILE A WRITTEN REQUEST WITH THE COMMISSIONER FOR A 1 YEAR EXEMPTION FROM THE REQUIREMENTS OF SUBSECTIONS (A) AND (B) OF THIS SECTION.~~

~~(2) THE COMMISSIONER MAY GRANT AN EXEMPTION UNDER THIS SUBSECTION ONLY IF THE COMMISSIONER DETERMINES THAT THE CARRIER:~~

~~(I) HAS A MARKET SHARE IN BALTIMORE CITY THAT SUBSTANTIALLY CONSTITUTES A COMPETITIVE URBAN MARKET SHARE; OR~~

~~(II) HAS BEEN UNABLE TO EXPAND ITS MARKET SHARE TO OBTAIN A COMPETITIVE URBAN MARKET SHARE BECAUSE OF LIMITATIONS ON CAPITAL AND SURPLUS.~~

~~(3) THE COMMISSIONER SHALL DETERMINE WHETHER AN EXEMPTION SHOULD BE GRANTED BY SEPTEMBER 15 OF THE YEAR IN WHICH THE REQUEST IS FILED.~~

245.

(A) (1) IN THIS SECTION AND §§ 245A THROUGH 245G AND 245B OF THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) "AFFILIATE" HAS THE MEANING STATED IN § 492(A) OF THIS ARTICLE.

(3) (I) "INSURER" MEANS ANY PERSON AUTHORIZED TO ISSUE AND DELIVER PRIVATE PASSENGER MOTOR VEHICLE INSURANCE POLICIES IN THE STATE.

(II) "INSURER" DOES NOT INCLUDE THE MARYLAND AUTOMOBILE INSURANCE FUND.

(4) "MAJOR INSURER" MEANS ANY INSURER INCLUDING ANY AFFILIATE OR SUBSIDIARY OF THAT INSURER THAT HAS WRITTEN AN AMOUNT OF PRIVATE PASSENGER PREMIUM IN THE STATE THAT TOTALS $\pm 0\% .5\%$ OR MORE OF THE TOTAL PREMIUM OF PRIVATE PASSENGER PREMIUM WRITTEN IN THE STATE BY ALL INSURERS, INCLUDING THE MARYLAND AUTOMOBILE INSURANCE FUND.