

MAJOR INSURER'S MARKETING EFFORTS IN OTHER AREAS OF OR TO MARKET AND OTHERWISE MAKE AVAILABLE INSURANCE TO THOSE PERSONS WHO RESIDE IN BALTIMORE CITY IN THE SAME MANNER AS TO PERSONS WHO RESIDE IN OTHER JURISDICTIONS IN THE STATE AS REQUIRED UNDER THIS SECTION IN ANY YEAR IS, AFTER NOTICE AND OPPORTUNITY FOR A HEARING, GROUNDS FOR THE IMPOSITION OF THE PENALTIES PROVIDED UNDER §§ 55 AND 55A OF THIS ARTICLE.

(E) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, FROM OCTOBER 1 THROUGH SEPTEMBER 30 OF ANY YEAR, ANY RATE FILING FOR PRIVATE PASSENGER MOTOR VEHICLE POLICIES SUBMITTED BY A MAJOR INSURER SHALL BE SUBJECT TO § 242 OF THIS ARTICLE IF THE MAJOR INSURER FAILS TO COMPLY WITH SUBSECTION (D) OF THIS SECTION NOTHING IN THIS SECTION AUTHORIZES THE COMMISSIONER TO REQUIRE THAT AN INSURER PLACE AN AGENT IN A PARTICULAR LOCATION OR JURISDICTION.

(F) IF THE MARKET SHARE OF PRIVATE PASSENGER PREMIUM WRITTEN BY AN MAJOR INSURER IN BALTIMORE CITY EQUALS OR EXCEEDS 75% OF THE MARKET SHARE OF PRIVATE PASSENGER PREMIUM WRITTEN BY THE MAJOR INSURER IN ANY YEAR IN THE STATE, EXCLUDING BALTIMORE CITY, THE MAJOR INSURER IS NOT REQUIRED TO FILE A MARKETING PLAN UNDER THIS SECTION FOR THE FOLLOWING YEAR.

245B.

(A) ON OR BEFORE SEPTEMBER 1, 1996, AND SEPTEMBER 1 OF EACH YEAR THEREAFTER, A MAJOR INSURER MAY FILE A WRITTEN REQUEST WITH THE COMMISSIONER FOR A 1 YEAR EXEMPTION FROM FILING A MARKETING PLAN UNDER § 245A OF THIS SUBTITLE.

(B) (1) THE COMMISSIONER MAY GRANT AN EXEMPTION UNDER THIS SECTION IF THE COMMISSIONER DETERMINES THAT THE MAJOR INSURER HAS IMPLEMENTED A MARKETING PLAN FOR BALTIMORE CITY THAT IS COMPARABLE TO ITS MARKETING EFFORTS IN OTHER AREAS OF THE STATE.

(2) THE COMMISSIONER SHALL DETERMINE WHETHER AN EXEMPTION SHOULD BE GRANTED BY SEPTEMBER 1 OF THE YEAR IN WHICH THE REQUEST IS GRANTED.

245C.

(A) ON OR BEFORE JULY 1, 1997, THE COMMISSIONER SHALL SUBMIT A REPORT TO THE GOVERNOR AND, SUBJECT TO § 2-1312 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY CONCERNING THE AVAILABILITY AND AFFORDABILITY OF PRIVATE PASSENGER MOTOR VEHICLE INSURANCE IN BALTIMORE CITY.

(B) THE REPORT SHALL PROVIDE INFORMATION ON:

(1) THE NUMBER OF INSURERS ACTIVELY ENGAGED IN PROVIDING COVERAGE IN BALTIMORE CITY;

(2) THE MARKET SHARES OF INSURERS IN THE MARKET IN BALTIMORE CITY;