

Article 48A - Insurance Code

240L.

WITH RESPECT TO PRIVATE PASSENGER MOTOR VEHICLE INSURANCE, FOR THE PURPOSES OF THE CANCELLATION OR NONRENEWAL OF POLICIES, AND SUBJECT TO § 234A OF THIS ARTICLE, AN INSURER MAY UTILIZE UNDERWRITING STANDARDS THAT HAVE NOT BEEN SUBJECT TO STATISTICAL VALIDATION IF:

(1) THE STANDARDS ARE BASED ON FACTORS THAT ADVERSELY AFFECT THE LOSSES OR EXPENSES OF INSURERS; AND

(I) THE STATISTICAL VALIDATION IS NOT AVAILABLE; OR

(II) THE STATISTICAL VALIDATION IS UNDULY BURDENSOME TO PRODUCE; OR

(2) THE STANDARDS RELATE TO:

(I) THE SUBMISSION BY THE APPLICANT OR POLICYHOLDER OF A FALSE OR FRAUDULENT CLAIM OR APPLICATION OR OTHER ACTION THAT WOULD CONSTITUTE A VIOLATION OF § 233A OF THIS ARTICLE; OR

(II) THE CONVICTION OF THE INSURED OF A CRIME THAT INCREASES THE HAZARD INSURED AGAINST.

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] HAS RECEIVED A WRITTEN DECLINATION FOR [such] a policy [by] OF AUTOMOBILE LIABILITY INSURANCE FROM two [such] private insurers AUTHORIZED TO WRITE SUCH A POLICY IN THIS STATE AND DESIGNATED BY THE COMMISSIONER AS A NONSTANDARD INSURER for any reason other than nonpayment of premiums [; or~~