

substituted for the former reference to "insolvent insurer" to reflect the merger of the terms "impaired" and "insolvent" in § 9-201(h) of this subtitle. The merger of the terms is consistent with Motor Vehicle Security Fund v. All Coverage Underwriters, Inc., 22 Md. App. 586 (1974), which interpreted former Art. 48A, § 132(1) and used the two terms interchangeably.

In subsection (c)(2) of this section, the reference to "the jurisdiction in which the foreign insurer is domiciled" is substituted for the former reference to the "domiciliary sovereignty" in light of the more common use of the word "jurisdiction" and to avoid any misleading implication that the former reference to the "domiciliary sovereignty" of a foreign insurer was necessarily synonymous with the defined term "domiciliary state". Similarly, the reference to another "jurisdiction" is substituted for the former reference to any other "sovereignty" in light of the more common use of the word "jurisdiction".

Defined terms: "Alien insurer" § 1-101

"Commissioner" § 1-101

"Control" § 1-101

"Creditor" § 9-201

"Delinquency proceeding" § 9-201

"Domestic insurer" § 1-101

"Domiciliary state" § 9-201

"Foreign insurer" § 1-101

"Impaired insurer" § 1-201

"Insurance contract" § 1-101

"Insurer" § 1-101

"Person" § 1-101

"Receiver" § 9-201

9-212. ORDERS TO REHABILITATE, LIQUIDATE, OR CONSERVE INSURERS.

(A) ORDER TO REHABILITATE DOMESTIC OR ALIEN INSURERS.

(1) AN ORDER TO REHABILITATE A DOMESTIC INSURER, OR AN ALIEN INSURER DOMICILED IN THE STATE, SHALL:

(I) APPOINT THE COMMISSIONER AS REHABILITATOR;

(II) DIRECT THE COMMISSIONER:

1. TO TAKE POSSESSION OF THE PROPERTY OF THE INSURER AND CONDUCT THE BUSINESS OF THE INSURER UNDER THE GENERAL SUPERVISION OF THE COURT; AND

2. TO TAKE ACTION AS THE COURT DIRECTS TO REMOVE THE CAUSES AND CONDITIONS THAT HAVE MADE REHABILITATION NECESSARY;

(III) VEST TITLE TO ALL PROPERTY OF THE INSURER IN THE REHABILITATOR; AND

(IV) REQUIRE THE REHABILITATOR TO MAKE ACCOUNTINGS TO THE COURT THAT: