

(2) A PATTERN OR PRACTICE OF VIOLATIONS OF THIS SECTION BY A PRODUCER IS SUBJECT TO THE SAME PENALTIES AS A VIOLATION OF § 20-513 OF THIS SUBTITLE.

**REVISOR'S NOTE:** This section is new language derived without substantive change from former Art. 48A, § 243BC.

In subsection (a)(1) of this section, the former reference to "goods" is deleted as misleading because in fact no type of add-on coverage consists of goods.

In subsection (a)(2) of this section, the phrase "but is not limited to", which formerly modified "includes", is deleted as unnecessary in light of Art. 1, § 30 of the Code, which provides that the term "includes" is used by way of illustration and not by way of limitation.

In the introductory language of subsection (c)(1) of this section, the reference to "continuation" of a policy is substituted for the former reference to "renewal" of a policy to conform to the practice of the Fund.

In subsection (d)(1)(ii) of this section, the reference to private passenger "auto" insurance policy is substituted for the former reference to private passenger "automobile" insurance policy to conform to the terminology used elsewhere in this title.

Defined terms: "Authorized insurer" § 1-101

"Commissioner" § 1-101

"Covered vehicle" § 20-501

"Fund" § 20-101

"Policy" § 1-101

"Producer" § 20-101

#### 20-505. CLAIMS AGAINST FUND.

(A) EXECUTIVE DIRECTOR TO RESOLVE.

THE EXECUTIVE DIRECTOR SHALL SETTLE, COMPROMISE, OR DEFEND CLAIMS AGAINST THE FUND.

(B) RECORDING TELEPHONE CONVERSATIONS ABOUT ACCIDENT OR CLAIM.

NOTWITHSTANDING ARTICLE 27, § 555B OF THE CODE, THE EXECUTIVE DIRECTOR MAY AUTHORIZE AN EMPLOYEE OF THE FUND TO RECORD A TELEPHONE CONVERSATION WITH A POLICYHOLDER, WITNESS, CLAIMANT, INVESTIGATING OFFICER, OR OTHER INTERESTED PARTY IF:

(1) THE CONVERSATION IS RELEVANT TO AN ACCIDENT OR CLAIM;

(2) THE PARTY TO BE RECORDED HAS OR MIGHT HAVE INFORMATION THAT IS RELEVANT TO THE ACCIDENT OR CLAIM; AND

(3) BEFORE RECORDING, THE PARTY TO BE RECORDED IS ADVISED OF AND CONSENTS TO THE RECORDING.