

Defined terms: "Commissioner" § 1-101

"License" § 26-101

"Licensee" § 26-101

"Member" § 26-101

26-205. ISSUANCE OR DISAPPROVAL OF LICENSE.

(A) IN GENERAL.

WITHIN A REASONABLE TIME AFTER AN APPLICATION FOR A LICENSE IS FILED, THE COMMISSIONER SHALL ISSUE A LICENSE TO THE APPLICANT UNLESS:

(1) THE APPLICANT HAS NOT MET ALL OF THE REQUIREMENTS OF THIS TITLE;

(2) IN THE JUDGMENT OF THE COMMISSIONER, THE APPLICANT DOES NOT HAVE SUFFICIENT FINANCIAL RESPONSIBILITY TO ENGAGE IN THE BUSINESS OF A MOTOR CLUB; OR

(3) THE APPLICANT HAS FAILED TO MAKE A REASONABLE SHOWING THAT ALL OF ITS OWNERS, MANAGERS, OFFICERS, DIRECTORS, OR REPRESENTATIVES ARE PERSONS OF RELIABILITY AND INTEGRITY.

(B) NOTICE OF DISAPPROVAL.

IF THE COMMISSIONER DISAPPROVES THE APPLICATION FOR A LICENSE, THE COMMISSIONER SHALL NOTIFY THE APPLICANT AS SOON AS PRACTICABLE OF THE REASON FOR THE DISAPPROVAL AND INFORM THE APPLICANT OF ITS RIGHT TO A HEARING ON THE MATTER AS PROVIDED IN § 26-209 OF THIS TITLE.

(C) DISPOSITION OF FEE ON DISAPPROVAL.

IF AN APPLICATION FOR A LICENSE FILED UNDER THIS SUBTITLE IS DISAPPROVED, THE COMMISSIONER SHALL:

(1) RETAIN \$50 OF THE APPLICATION FEE PAID BY THE APPLICANT; AND

(2) RETURN THE BALANCE OF THE APPLICATION FEE TO THE APPLICANT.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 48B, §§ 3(b)(7) and 4(a) and (b).

In subsection (b) of this section, the word "disapproves" is substituted for the former words "refuses to issue" for consistency with § 4-109 of this article relating to certificates of authority for insurers.

In subsection (c) of this section, the reference to the "Commissioner" is substituted for the former obsolete reference to the "Division". The Commissioner performs the duties of the former Insurance Division - now the Administration - under this article. See § 2-103(b)(2)(i) of this article.

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