

(3) (i) If the Commissioner finds that an insurer's antifraud plan does not comply with the requirements of this section, the Commissioner shall disapprove the plan and send a notice of disapproval, along with the reasons for disapproval, to the insurer.

(ii) An insurer whose antifraud plan has been disapproved by the Commissioner shall submit a new plan to the Commissioner within 60 days after the date the plan was disapproved.

(4) It is a violation of this section if the Commissioner finds that an insurer has failed to:

(i) File an antifraud plan;

(ii) File a revised antifraud plan after disapproval by the Commissioner of the initial filing; or

(iii) Comply with the antifraud plan filed by the insurer.

(5) During the course of an examination conducted pursuant to § 30 of this article, the Commissioner shall examine the insurer's procedures to determine whether the insurer is complying with its antifraud plan.

[(e)](D) The Commissioner may withhold from public inspection any part of an insurer's antifraud plan for so long as the Commissioner deems the withholding to be in the public interest.

[(f)](E) The penalty for a violation of this section shall be as provided in §§ 55 and 55A of this article.

[(g)](F) The Commissioner shall adopt regulations establishing minimum standards for antifraud plans required to be filed under this section.

**DRAFTER'S NOTE:**

Error: Stylistic errors in Article 48A, § 233B(d), (e), (f), and (g).

Occurred: Ch. 352, Acts of 1995.

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(c) All rates shall be made in accordance with the following principles:

(7) (iii) An insurer under an automobile insurance policy may not consider accident reports and abstracts of court convictions pertaining to driving an emergency vehicle that are on record with the Motor Vehicle Administration, as provided in [§ 16-117(b)(3)] § 16-117(B)(4) of the Transportation Article, for purposes of reclassifying an insured in a classification entailing a higher premium.

**DRAFTER'S NOTE:**

Error: Incorrect cross-reference in Article 48A, § 242(c)(7)(iii).

Occurred: As a result of Ch. 245, Acts of 1981.