Defined terms: "Insurance" § 1–101
"Insurer" § 1–101
"Person" § 1–101
"Policy" § 1–101

27–405. UNLICENSED AGENTS, BROKERS, AND ADJUSTERS.

(A) IN GENERAL.

IT IS A FRAUDULENT INSURANCE ACT FOR A PERSON TO ACT AS OR REPRESENT TO THE PUBLIC THAT THE PERSON IS AN AGENT, BROKER, OR ADJUSTER IN THE STATE IF THE PERSON HAS NOT RECEIVED THE APPROPRIATE CERTIFICATE OF QUALIFICATION UNDER OR OTHERWISE COMPLIED WITH TITLE 10, SUBTITLE 1 OF THIS ARTICLE.

(B) ACTS OF AGENT OR BROKER.

IT IS A FRAUDULENT INSURANCE ACT FOR AN AGENT OR BROKER:

(1) TO SOLICIT OR TAKE APPLICATION FOR, PROCURE, OR PLACE FOR OTHERS INSURANCE FOR WHICH THE AGENT OR BROKER HAS NOT OBTAINED AN APPROPRIATE CERTIFICATE OF QUALIFICATION;

(2) KNOWINGLY TO VIOLATE § 10–130 OF THIS ARTICLE; OR

(3) INTENTIONALLY TO FAIL TO REPORT TO AN INSURER THE EXACT AMOUNT OF CONSIDERATION CHARGED AS A PREMIUM FOR AN INSURANCE CONTRACT, IF DIFFERENT FROM THE POLICY PREMIUM, AND TO FAIL TO MAINTAIN RECORDS THAT SHOW THAT INFORMATION.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 48A, § 233(d).

In subsection (b)(1) of this section, the reference to an "appropriate" certificate of qualification is added for clarity.

Defined terms: "Agent" § 1–101
"Broker" § 1–101
"Insurance" § 1–101
"Insurer" § 1–101
"Person" § 1–101
"Policy" § 1–101
"Premium" § 1–101

27–406. FALSE APPLICATIONS AND STATEMENTS; UNREGULATED INSURERS.

IT IS A FRAUDULENT INSURANCE ACT FOR A PERSON:

(1) KNOWINGLY OR WILLFULLY TO MAKE A FALSE OR FRAUDULENT STATEMENT OR REPRESENTATION IN OR WITH REFERENCE TO AN APPLICATION FOR INSURANCE;

(2) TO PLACE INSURANCE WITH AN UNAUTHORIZED INSURER NOT REGULATED BY THE COMMISSIONER AND REFUSE TO OBEY AN ORDER OF THE