

“Premium” § 1-101

“Qualified agent” § 1-101

“Qualified broker” § 1-101

27-608. NOTICE OF EFFECT OF FAILURE TO RENEW OR REPLACE MOTOR VEHICLE INSURANCE.

BEFORE THE ACTUAL EXPIRATION OF A POLICY OF MOTOR VEHICLE INSURANCE THAT RESULTS FROM NONPAYMENT OF A RENEWAL PREMIUM, THE INSURER SHALL PROVIDE NOTICE TO THE INSURED IN CLEAR AND SPECIFIC TERMS THAT IF THE INSURED FAILS TO RENEW OR REPLACE THE MOTOR VEHICLE INSURANCE BEFORE THE DUE DATE, § 17-106 OF THE TRANSPORTATION ARTICLE PROVIDES THAT UNINSURED MOTORIST PENALTIES BE ASSESSED AND THAT EVIDENCES OF REGISTRATION BE SURRENDERED TO THE MOTOR VEHICLE ADMINISTRATION AND THAT FAILURE TO SURRENDER THE EVIDENCES OF REGISTRATION MAY RESULT IN SUSPENSION OF CURRENT AND FUTURE REGISTRATION PRIVILEGES.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 48A, § 240B(d).

The reference to § 17-106 of the Transportation Article “provid[ing]” that uninsured motorist penalties be assessed is substituted for the former reference to “requir[ing]” the assessment of those penalties because § 17-106 of the Transportation Article makes the imposition of uninsured motorist penalties discretionary.

Defined terms: “Insurance” § 1-101

“Insurer” § 1-101

“Policy” § 1-101

“Premium” § 1-101

27-609. LIABILITY OF INSURER FOR COVERAGE.

(A) IN GENERAL.

(1) IF AN INSURER FAILS TO COMPLY WITH ANY PROVISION OF § 27-601, § 27-602, § 27-603, § 27-604, § 27-605, OR § 27-607 OF THIS SUBTITLE, THE INSURER IS LIABLE TO THE APPLICANT FOR THE COVERAGE THAT WAS REQUESTED, OR THAT WOULD HAVE BECOME EFFECTIVE EXCEPT FOR THE FAILURE TO COMPLY WITH THESE PROVISIONS, UNLESS THE PERSON SEEKING COVERAGE:

(I) NO LONGER WISHES THE COVERAGE;

(II) HAS OBTAINED OTHER SUBSTANTIALLY EQUIVALENT COVERAGE; OR

(III) FAILS TO TENDER OR PAY THE PREMIUM AFTER REASONABLE DEMAND FOR THE PREMIUM HAS BEEN MADE.

(2) THE LIABILITY OF AN INSURER UNDER PARAGRAPH (1) OF THIS SUBSECTION IS IN ADDITION TO ANY OTHER PENALTIES APPLICABLE BY LAW.