

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 48A, § 239 and the second sentence and the second clause of the first sentence of § 238.

In subsection (a)(1) of this section, the former reference to "registered ... mail" is deleted as included in the reference to "certified mail". See Art. 1, § 20 of the Code.

Defined terms: "Alien insurer" § 1-101

"Commissioner" § 1-101

"Foreign insurer" § 1-101

"Insurance" § 1-101

"Insurance contract" § 1-101

"Insurer" § 1-101

"Premium" § 1-101

"Resident" § 27-701

"State" § 1-101

"Unauthorized insurer" § 1-101

27-705. SERVICE ON UNAUTHORIZED INSURER.

(A) COMMISSIONER DEEMED ATTORNEY OF UNAUTHORIZED INSURER.

AN UNAUTHORIZED FOREIGN INSURER OR UNAUTHORIZED ALIEN INSURER IS DEEMED TO HAVE APPOINTED THE COMMISSIONER TO BE THE ATTORNEY OF THE UNAUTHORIZED INSURER FOR PURPOSES OF SERVICE OF STATEMENTS OF CHARGES, NOTICES, AND PROCESS IN A PROCEEDING INSTITUTED UNDER THIS TITLE FOR A MISREPRESENTATION SET FORTH IN § 27-703 OF THIS SUBTITLE OR IN A PROCEEDING FOR THE RECOVERY OF A PENALTY UNDER THIS TITLE AND TO HAVE AGREED THAT SERVICE ON THE COMMISSIONER HAS THE SAME LEGAL EFFECT AS PERSONAL SERVICE IN THE STATE ON THE UNAUTHORIZED INSURER IF THE UNAUTHORIZED INSURER IN THE STATE, BY MAIL OR OTHERWISE:

(1) ISSUES OR DELIVERS INSURANCE CONTRACTS TO RESIDENTS OF THE STATE;

(2) SOLICITS APPLICATIONS FOR INSURANCE CONTRACTS;

(3) COLLECTS PREMIUMS, MEMBERSHIP FEES, ASSESSMENTS, OR OTHER CONSIDERATION FOR INSURANCE CONTRACTS; OR

(4) TRANSACTS ANY OTHER INSURANCE BUSINESS.

(B) SERVICE ON COMMISSIONER.

(1) SERVICE OF STATEMENTS OF CHARGES AND NOTICES UNDER THIS TITLE SHALL BE MADE BY A DEPUTY OR EMPLOYEE OF THE ADMINISTRATION BY DELIVERING TO AND LEAVING WITH THE COMMISSIONER OR AN INDIVIDUAL IN APPARENT CHARGE OF THE OFFICE OF THE COMMISSIONER TWO COPIES OF THE STATEMENT OF CHARGES OR NOTICE.