

11-325. MARKETING PLAN BY MAJOR INSURERS.

(A) FILING OF PLAN REQUIRED.

ON OR BEFORE OCTOBER 1 OF EACH YEAR, EACH INSURER THAT HAS BEEN DESIGNATED A MAJOR INSURER ON OR BEFORE AUGUST 15 OF THE SAME YEAR SHALL FILE A MARKETING PLAN WITH THE COMMISSIONER.

(B) GOAL.

THE GOAL OF THE MARKETING PLAN SHALL BE TO ENSURE THAT THE INSURER MARKETS AND OTHERWISE MAKES AVAILABLE INSURANCE TO THOSE PERSONS WHO RESIDE IN BALTIMORE CITY IN THE SAME MANNER AS TO PERSONS WHO RESIDE IN OTHER JURISDICTIONS IN THE STATE.

(C) REVIEW BY COMMISSIONER.

(1) THE COMMISSIONER SHALL REVIEW THE MARKETING PLAN TO DETERMINE WHETHER THE PLAN WILL ACHIEVE THE GOAL STATED IN SUBSECTION (B) OF THIS SECTION.

(2) A MARKETING PLAN IS DEEMED APPROVED UNLESS DISAPPROVED BY THE COMMISSIONER WITHIN 30 DAYS AFTER SUBMISSION.

(3) (I) IF THE MARKETING PLAN DOES NOT CONTAIN SUFFICIENT INFORMATION FOR THE COMMISSIONER TO DETERMINE IF THE PLAN WILL ACHIEVE THE GOAL STATED IN SUBSECTION (B) OF THIS SECTION, THE COMMISSIONER SHALL REQUIRE THE MAJOR INSURER TO PROVIDE THE NEEDED INFORMATION WITHIN 30 DAYS AFTER THE COMMISSIONER REQUESTS THE INFORMATION.

(II) IF ADDITIONAL INFORMATION IS REQUIRED BY THE COMMISSIONER UNDER THIS PARAGRAPH, THE TIME PERIOD FOR APPROVAL, DISAPPROVAL, OR DEEMED APPROVAL BEGINS ON THE DATE THE ADDITIONAL INFORMATION IS SUBMITTED.

(4) IF THE COMMISSIONER DETERMINES THAT THE MARKETING PLAN WILL NOT ACHIEVE THE GOAL STATED IN SUBSECTION (B) OF THIS SECTION, THE COMMISSIONER SHALL REQUIRE THE MAJOR INSURER TO FILE FOR REVIEW AND APPROVAL A REVISED MARKETING PLAN FOR BALTIMORE CITY.

(D) EXEMPTION - DE MINIMIS INSURANCE IN BALTIMORE AREA.

(1) ON OR BEFORE SEPTEMBER 1 OF EACH YEAR, A MAJOR INSURER MAY FILE A WRITTEN REQUEST WITH THE COMMISSIONER FOR A 1-YEAR EXEMPTION FROM THE REQUIREMENTS OF THIS SECTION.

(2) THE COMMISSIONER MAY GRANT AN EXEMPTION UNDER THIS SUBSECTION IF THE COMMISSIONER DETERMINES THAT FOR CALENDAR YEAR 1994 THE MAJOR INSURER WROTE A DE MINIMIS AMOUNT OF TOTAL YEARLY PRIVATE PASSENGER MOTOR VEHICLE INSURANCE, AS DETERMINED BY THE COMMISSIONER, IN THE BALTIMORE STANDARD METROPOLITAN STATISTICAL AREA.