

5. IS A MUNICIPAL CORPORATION WITH A POPULATION OF AT LEAST 15,000; OR

~~6. RETAINS, EMPLOYS, OR UTILIZES AN INDEPENDENT INSURANCE ADVISOR PROFESSIONAL WHO:~~

~~A. IS QUALIFIED BY EXPERIENCE, EDUCATION, OR TRAINING TO ASSESS THE INSURANCE PURCHASER'S NEEDS AND TO ANALYZE THE POLICY OF INSURANCE ON BEHALF OF THE INSURANCE PURCHASER; AND~~

~~B. MAY BE A LICENSED AGENT OR BROKER PROVIDES SKILLED SERVICES IN LOSS PREVENTION, LOSS REDUCTION, OR RISK AND INSURANCE COVERAGE ANALYSIS AND THE PURCHASE OF INSURANCE, AND WHO POSSESSES AT LEAST ONE OF THE FOLLOWING CREDENTIALS:~~

~~A. A BACHELOR'S OR HIGHER DEGREE IN RISK MANAGEMENT ISSUED BY AN ACCREDITED COLLEGE OR UNIVERSITY;~~

~~B. DESIGNATION AS A CHARTERED PROPERTY AND CASUALTY UNDERWRITER (CPCU) ISSUED BY THE AMERICAN INSTITUTE FOR CPCU/INSURANCE INSTITUTE OF AMERICA;~~

~~C. DESIGNATION AS AN ASSOCIATE IN RISK MANAGEMENT (ARM) ISSUED BY THE AMERICAN INSTITUTE FOR CPCU/INSURANCE INSTITUTE OF AMERICA; OR~~

~~D. A CERTIFICATE OF QUALIFICATION TO SERVE AS A BROKER OR A LICENSE TO SERVE AS AN ADVISER UNDER THIS ARTICLE.~~

(2) THE FILING REQUIREMENTS OF THIS SECTION DO NOT APPLY TO POLICY FORMS AND ENDORSEMENTS AND TO MODIFICATIONS OF POLICY FORMS AND ENDORSEMENTS ISSUED TO AN EXEMPT COMMERCIAL POLICYHOLDER.

(3) (I) AN EXEMPT COMMERCIAL POLICYHOLDER MUST CERTIFY IN WRITING, ON A FORM APPROVED BY THE COMMISSIONER, TO THE INSURER ISSUING COVERAGE AND THE COMMISSIONER THAT IT MEETS THE CRITERIA NECESSARY FOR EXEMPTION FROM FORM FILING REQUIREMENTS.

(II) THE CERTIFICATION MUST INCLUDE:

1. SPECIFIC REFERENCE TO THE OPTIONAL CRITERIA THAT THE INSURED HAS SATISFIED TO QUALIFY AS AN EXEMPT COMMERCIAL POLICYHOLDER;

2. INFORMATION REQUIRED BY THE COMMISSIONER FOR THE PURPOSE OF DETERMINING THE ANNUAL AGGREGATE PREMIUMS OF THE INSURED FOR PURPOSES OF PARAGRAPH (1)(I) OF THIS SUBSECTION; AND

3. AN ACKNOWLEDGMENT BY THE INSURED THAT THE POLICY FORM, ENDORSEMENT, OR MODIFICATION INTENDED FOR USE HAS NOT BEEN FILED WITH THE COMMISSIONER.