

- (ii) allow the proposed action to be taken on the later of:
 1. its proposed effective date; and
 2. 30 days after the date of the determination.

(3) If the Commissioner finds the proposed action to be unjustified, the Commissioner:

- (i) shall disallow the action; and
- (ii) may order the insurer to pay reasonable attorney fees incurred by the insured for representation at the hearing as the Commissioner considers appropriate.

~~(h)~~ (I) The Commissioner may delegate the powers and duties of the Commissioner under this section to one or more employees or hearing examiners.

(J) (1) IF THE COMMISSIONER DISALLOWS A PREMIUM INCREASE OF 15% OR LESS FOR THE ENTIRE POLICY, THE INSURER, WITHIN 30 DAYS AFTER THE DISALLOWANCE, SHALL:

(I) RETURN TO THE INSURED ALL DISALLOWED PREMIUM RECEIVED FROM THE INSURED; AND

(II) PAY TO THE INSURED INTEREST ON THE DISALLOWED PREMIUM RECEIVED FROM THE INSURED CALCULATED AT 10% PER ANNUM FROM THE DATE THE DISALLOWED PREMIUM WAS RECEIVED TO THE DATE THE DISALLOWED PREMIUM WAS RETURNED.

(2) IF AN INSURER FAILS TO RETURN ANY DISALLOWED PREMIUM OR FAILS TO PAY INTEREST TO AN INSURED IN VIOLATION OF PARAGRAPH (1) OF THIS SUBSECTION, THE INSURER IS IN VIOLATION OF THIS ARTICLE AND SUBJECT TO THE PENALTIES UNDER § 4-113(D) OF THIS ARTICLE.

~~(i)~~ (K) A party to a proceeding under this section may appeal the decision of the Commissioner in accordance with § 2-215 of this article.

(L) THE COMMISSIONER MAY ADOPT REGULATIONS THAT EXCLUDE FROM THE REQUIREMENTS OF THIS SECTION CERTAIN TYPES OF PREMIUM INCREASES, INCLUDING PREMIUM INCREASES RESULTING FROM POLICY CHANGES:

(1) CAUSED OR REQUESTED BY INSUREDS; OR

(2) CAUSED BY THE LOSS OF DISCOUNTS EXCEPT FOR PREMIUM INCREASES DUE TO:

(1) AN ACCIDENT;

(2) A VIOLATION OF THE MARYLAND VEHICLE LAW OR THE VEHICLE LAW OF ANOTHER STATE;

(3) THE CLAIMS HISTORY OF THE INSURED;