

(D) (1) WHENEVER THE COMMISSIONER DETERMINES THAT ANY PERSON HAS ENGAGED IN OR IS ABOUT TO ENGAGE IN ANY ACT OR PRACTICE CONSTITUTING A VIOLATION OF ANY PROVISION OF THIS SECTION, THE COMMISSIONER MAY, WITHOUT NOTICE AND BEFORE A HEARING, ISSUE AND CAUSE TO BE SERVED UPON THE PERSON AN ORDER TO CEASE AND DESIST FROM ENGAGING FURTHER IN THE ACTS FOR WHICH FILING IS REQUIRED UNDER THIS SECTION.

(2) UNLESS POSTPONED BY MUTUAL CONSENT OF THE PARTIES, THE COMMISSIONER SHALL ISSUE AND SERVE UPON THE PERSON NOTICE OF A HEARING TO BE HELD WITHIN 30 DAYS AFTER THE DATE OF THE ORDER.

(E) THE COMMISSIONER SHALL HAVE THE ENFORCEMENT POWERS AS SET FORTH IN §§ 25, 27, AND 28 OF THIS ARTICLE.

(F) (1) IN ADDITION TO ANY PENALTY OTHERWISE APPLICABLE UNDER THIS ARTICLE, THE COMMISSIONER MAY IMPOSE A CIVIL PENALTY NOT TO EXCEED \$500 FOR EACH VIOLATION OF THIS SECTION.

(2) EACH DAY A VIOLATION CONTINUES IS A SEPARATE VIOLATION UNDER THIS SECTION.

(G) THIS SECTION DOES NOT APPLY TO A PERSON THAT IS OR WILL BE AN AFFILIATE OF AN AUTHORIZED INSURER THAT IS A MEMBER OF AN INSURANCE HOLDING COMPANY REGISTERED WITH THE COMMISSIONER UNDER § 495 OF THIS ARTICLE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1992.

Approved May 26, 1992.

CHAPTER 458

(Senate Bill 166)

AN ACT concerning

Insurance - Underwriting - Prohibition

FOR the purpose of prohibiting an authorized insurer from ~~refusing to underwrite private passenger motor vehicle insurance risk solely for certain reasons relating to previously obtained insurance using a certain underwriting criterion as a basis for refusing to underwrite any private passenger motor vehicle insurance risk~~ refusing to underwrite private passenger motor vehicle insurance risk solely for certain reasons relating to previously obtained insurance; and generally relating to unfairness or discrimination in insurance underwriting.