

~~(H) THE REGULATIONS ADOPTED UNDER THIS SUBSECTION SHALL IDENTIFY THOSE STANDARDS THAT ARE REASONABLY RELATED TO AN INSURER'S ECONOMIC AND BUSINESS PURPOSES FOR WHICH STATISTICAL VALIDATION IS NOT REQUIRED.~~

(b) (1) An insurer may not require special conditions, facts, or situations as a condition to its acceptance or renewal of a particular insurance risk or class of risks in an arbitrary, capricious, unfair, or discriminatory manner based wholly or partly on race, creed, color, sex, religion, national origin, place of residency, blindness, or other physical handicap or disability.

(2) Actuarial justification may be considered with respect to sex.

(c) An insurer, agent, or broker may not make an inquiry about race, creed, color, or national origin in an insurance form, questionnaire, or other manner of requesting general information that relates to an application for insurance.

(d) With respect to automobile liability insurance, an insurer may not:

(1) cancel, refuse to renew, or otherwise terminate coverage for an automobile insurance risk because of a traffic violation or accident that occurred more than 3 years before the effective date of the policy or renewal; or

(2) refuse to underwrite an automobile insurance risk because of a traffic violation or accident that occurred more than 3 years before the date of application.

(e) An insurer may not refuse to underwrite a private passenger motor vehicle insurance risk solely because the applicant or named insured previously obtained insurance coverage from any authorized insurer or the Maryland Automobile Insurance Fund.

(f) In the case of cancellation of or refusal to renew a policy, the policy remains in effect until a finding is issued under § 27-505 of this subtitle if:

(1) the insured asks the Commissioner to review the cancellation or refusal to renew before the effective date of the termination of the policy; and

(2) the Commissioner begins action to issue a finding under § 27-505 of this subtitle.

(g) At a hearing to determine whether this section has been violated, the burden of persuasion is on the insurer to show that the cancellation or refusal to underwrite or renew is justified under the underwriting standards demonstrated.

(h) (1) This subsection applies to insurance underwriting standards for all health, life, disability, property, and casualty coverages provided in the State.

(2) At the request of the Commissioner, each insurer shall file with the Commissioner a copy of its underwriting standards, including any amendments or supplements.

(3) The Commissioner may review and examine the underwriting standards to ensure compliance with this article.