

.13 Review of Denial.

A. If the custodian denies a request to inspect or copy a public record of the Office, the applicant may [, within 30 days after receipt of the notice of denial request administrative review] *file an action for judicial enforcement under General Provisions Article, §4-362, Annotated Code of Maryland, without pursuing the remedies set forth in §§B and C of this regulation.*

[B. If the applicant requests administrative review:

(1) The review shall be governed by State Government Article, Title 10, Subtitle 2, Annotated Code of Maryland; and

(2) The Executive Director shall issue the final decision of the Center unless the Executive Director delegates the final decision authority.

C. If the review results in a total or partial denial of the request, the applicant may file an appropriate action in the circuit court under State Government Article, §10-623, Annotated Code of Maryland.

D. If the applicant does not request administrative review, the applicant may file an action for judicial enforcement under State Government Article, §10-623, Annotated Code of Maryland, without exhausting the administrative remedy.

E. This regulation does not apply if the Center denies inspection under State Government Article, §10-619, Annotated Code of Maryland.]

B. If the custodian charges a fee of more than \$350 under Regulation .15 of this chapter, the applicant may, within 90 days after the date the fee is imposed, file a written complaint with the State Public Information Act Compliance Board under General Provisions Article, § 4-1A-05(a), Annotated Code of Maryland.

C. The applicant and the custodian each may contact the Public Access Ombudsman to resolve, under General Provisions Article, Title 4, Subtitle 1B, Annotated Code of Maryland, a dispute relating to requests for public records.

14.36.04 Longitudinal Data Requests

Authority: Education Article, §§24-701, 24-703, and 24-706; *General Provisions Article, Title 4*; Labor and Employment Article, §§8-625; [State Government Article, Title 10, Subtitle 6;] *Annotated Code of Maryland*

.01 Scope.

A. Generally.

(1) (proposed text unchanged)

(2) All other public information requests shall be processed in accordance with [State Government Article, Title 10, Subtitle 6] *General Provisions Article, Title 4, Annotated Code of Maryland, and COMAR 14.36.01.*

B. (proposed text unchanged)

[C. Requests for longitudinal data from the Center should satisfy a similar purpose.]

[.06] .05 Fees.

[A. By Whom Set. Reasonable fees for responding to data requests shall be set by the Executive Director and shall take into consideration the volume of requests, the complexity of responding to the request, the hourly staff time spent responding to the request, and other associated expenses.

B. Deposit or Prepayment. The Executive Director, or a designated staff member, may require that an applicant provide a deposit or prepayment of all or part of the charges estimated for satisfying the data request prior to fulfillment of the request.

C. Waiver or Reduction. On an applicant's request, the Executive Director may waive or reduce any fee imposed under this chapter if the Executive Director, after considering the applicant's ability to pay and other relevant factors, including but not limited to the purpose specified for the data request, determines that a waiver or reduction of fees is in the public interest.]

The Executive Director shall assess fees for data requests in accordance with COMAR 14.36.01.15.

[.07] .06 Individual Records.

A. (proposed text unchanged)

B. Individual Student Records.

(1) — (3) (proposed text unchanged)

(4) The Center shall direct requests for access to individual student records to the agency supplying the records to the Center for consideration under the Maryland Public Information Act, [State Government, Title 10, Subtitle 6] *General Provisions Article, Title 4, Annotated Code of Maryland, and any and all applicable State and federal statutes and regulations.*

C. Individual Workforce Records.

(1) — (4) (proposed text unchanged)

(5) Requests for access to individual workforce records shall be directed to the Maryland Department of Labor, Licensing, and Regulation for that agency's consideration under the Maryland Public Information Act, [State Government Article, Title 10, Subtitle 6] *General Provisions Article, Title 4, Annotated Code of Maryland, and any and all applicable State and federal statutes and regulations.*

D. — E. (proposed text unchanged)

ROSS GOLDSTEIN
Executive Director

Title 31

**MARYLAND INSURANCE
ADMINISTRATION**

**Subtitle 03 INSURANCE PRODUCERS
AND OTHER INSURANCE
PROFESSIONALS**

**31.03.02 Insurance Producers — Continuing
Education Requirements**

Authority: Insurance Article, §§2-109, 10-115, and 10-116, Annotated Code of Maryland

Notice of Proposed Action

[17-220-P]

The Insurance Commissioner proposes to amend Regulations .02 and .03 under **COMAR 31.03.02 Insurance Producers — Continuing Education Requirements.**

Statement of Purpose

The purpose of this action is to amend COMAR 31.03.02.02 and .03 to be consistent with amendments made during the 2017 legislative session to Insurance Article, §10-116, Annotated Code of Maryland, regarding continuing education requirements for insurance producers. Chs.185 and 186, Acts of 2017, added a requirement that insurance producers who are involved in bail bonds insurance must now receive continuing education that directly relates to bail bonds. Therefore a definition of bail bondsman services is being added to Regulation .02 and an amendment regarding the continuing education of producers that provide bail bondsman services is being added to Regulation .03.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

I. Summary of Economic Impact. Assuming that insurance producers that provide bail bondsman services must pay money to take courses which fulfill this new requirement, the cost to insurance producers will increase.

II. Types of Economic Impact.	Revenue (R+/R-)	Magnitude
	Expenditure (E+/E-)	
A. On issuing agency:	NONE	
B. On other State agencies:	NONE	
C. On local governments:	NONE	
	Benefit (+) Cost (-)	Magnitude
D. On regulated industries or trade groups:		
Course cost	(+)	Minimal
E. On other industries or trade groups:	NONE	
F. Direct and indirect effects on public:	NONE	

III. Assumptions. (Identified by Impact Letter and Number from Section II.)

D. Assuming insurance producers who provide bail bondsman services must pay a fee to take the continuing education courses, the insurance producers will incur a minimal cost

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Lisa Larson, Regulations Manager, Maryland Insurance Administration, 200 St. Paul Place, Suite 2700, Baltimore, MD 21202, or call 410-468-2007, or email to insuranceregreview.mia@maryland.gov, or fax to 410-468-2020. Comments will be accepted through September 18, 2017. A public hearing has not been scheduled.

.02 Definitions.

- A. (text unchanged)
 - B. Terms Defined.
 - (1) (text unchanged)
 - (2) "Bail bondsman services" means any conduct relating to the sale, solicitation, negotiation, or procurement of a bail bond, and includes the posting of a bail bond.
- [(2)] (3) — [(20)] (21) (text unchanged)

.03 General Continuing Education Requirements.

A. – F. (text unchanged)

G. A licensed insurance producer who possesses a license to sell property and casualty insurance and provides bail bondsman services shall obtain at least 4 hours of continuing education that directly relates to bail bond insurance.

[G.] H. — [I.] J. (text unchanged)

ALFRED W. REDMER, JR.
Insurance Commissioner

Subtitle 08 PROPERTY AND CASUALTY INSURANCE

31.08.15 Underwriting Period

Authority: Insurance Article, §§2-109(a)(1), [11-205, 11-306,] and 12-106(a), (b), (c), (d), and (f)(1) and (2), [and 19-406,] Annotated Code of Maryland

Notice of Proposed Action

[17-217-P]

The Insurance Commissioner proposes to amend Regulation .06 under **COMAR 31.08.15 Underwriting Period.**

Statement of Purpose

The purpose of this action is to amend COMAR 31.08.15.06 to conform the regulation to Insurance Article, §12-106(f)(1) and (2), Annotated Code of Maryland. Specifically, language is amending (1) the number of days before the effective date of a cancellation of a policy or binder of workers' compensation insurance, for a reason other than nonpayment of premium, an insurer must send notice of the cancellation to the named insured's last known address; and (2) the method by which an insurer must send the notice of cancellation of a policy or binder of insurance subject to Insurance Article, §12-106(f)(1) and (2), Annotated Code of Maryland, whether the cancellation is for nonpayment of premium or a reason other than nonpayment of premium. This action also makes stylistic and clarifying changes to the regulation.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Lisa Larson, Regulations Manager, Maryland Insurance Administration, 200 St. Paul Place, Suite 2700, Baltimore, MD 21202, or call 410-468-2007, or email to insuranceregreview.mia@maryland.gov, or fax to 410-468-2020. Comments will be accepted through September 18, 2017. A public hearing has not been scheduled.

.06 Cancellation of Binder or Policy During Underwriting Period.

- A. (text unchanged)
- B. Cancellation for Reason Other than Nonpayment of Premium.
 - (1) Except as provided in §B(2) of this regulation, an insurer that cancels a policy or binder under this regulation for a reason other than nonpayment of premium shall:
 - (a) (text unchanged)
 - (b) Send the notice of cancellation to the named insured's last known address by [certificate of mail] a first-class mail tracking method not less than 15 days before the effective date of the cancellation.