

Title 31 MARYLAND INSURANCE ADMINISTRATION

Subtitle 08 PROPERTY AND CASUALTY INSURANCE

Chapter 13 Application of a Percentage Deductible in the Case of a Hurricane

Authority: Insurance Article, §§2-109, 19-209, and 19-209.1, Annotated Code of Maryland

.04 Underwriting Standard.

- A. (text unchanged)
- B. If an insurer withdraws an underwriting standard that requires a percentage deductible that exceeds 5 percent, the insurer shall notify the Commissioner in writing [within 10 days of] *prior to implementing* the withdrawal.
- C. (text unchanged)

Chapter 19 Filing of Underwriting Standards

Authority: Insurance Article, § 27-501, Annotated Code of Maryland

.01 Purpose.

The purpose of this chapter is to establish the requirement that all underwriting standards for homeowner's insurance and private passenger motor vehicle insurance be filed with the Commissioner, and to establish procedures for such required filings, pursuant to Insurance Article, § 27-501(h), Annotated Code of Maryland.

.02 Applicability.

- A. *This chapter applies to all property and casualty insurers authorized to write homeowner's insurance policies in Maryland.*
- B. *This chapter applies to all property and casualty insurers authorized to write private passenger motor vehicle insurance policies in Maryland.*

.03 Definitions.

- A. *In this chapter, the following terms have the meanings indicated.*
- B. *Terms Defined.*
 - (1) *Homeowner's Insurance.*
 - (a) *"Homeowner's insurance" means insurance for residential property that provides one or more of the following coverages:*
 - (i) *Fire;*
 - (ii) *Extended coverage;*
 - (iii) *Vandalism and malicious mischief;*
 - (iv) *Burglary;*
 - (v) *Theft; or*
 - (vi) *Personal liability.*
 - (b) *"Homeowners insurance" includes renter's insurance for a residential property that provides one or more of the coverages listed in paragraph (a) of this subsection.*
 - (c) *"Homeowner's insurance" does not include:*
 - (i) *An umbrella policy; or*
 - (ii) *Property insurance or casualty insurance issued to an individual, a sole proprietor, partnership, corporation, limited liability company, or similar entity and intended to insure against loss arising from the business pursuits of the insured individual or entity.*
 - (2) *"NAIC" means the National Association of Insurance Commissioners.*
 - (3) *"Private passenger motor vehicle insurance" means insurance subject to the requirements of Title 19, Subtitle 5 of the Insurance Article of the Annotated Code of Maryland.*
 - (4) *Residential Property.*
 - (a) *"Residential property" means property that is used primarily as a residence.*
 - (b) *"Residential property" includes:*
 - (i) *A residence written on a personal farmowner's policy form;*
 - (ii) *A condominium unit;*
 - (iii) *A mobile home; and*
 - (iv) *A multiunit building if one of the units is occupied by the owner of the building and not more than three units are occupied by tenants.*
 - (c) *"Residential property" does not include a boat.*
 - (5) *"Underwriting standards" means:*

- (a) Underwriting manuals, including any amendments or supplements to underwriting manuals; and
- (b) The generally accepted practices of an insurer contained in written underwriting instructions, guidelines, and rules that the insurer provides for use by its underwriters and insurance producers as standards for acceptance of risk.
- (4) "Private passenger motor vehicle insurance" means insurance subject to the requirements of Title 19, Subtitle 5 of the Insurance Article of the Annotated Code of Maryland.

.04 Filing of Underwriting Standards for Homeowner's Insurance.

- A. An insurer shall file its current underwriting standards for homeowner's insurance, including any supplements or amendments that have been adopted, with the Commissioner on or before July 1, 2026.
- B. An insurer that makes a filing under § A of this regulation shall include the following information in the filing:
 - (1) The insurer's NAIC number;
 - (2) A copy of the insurer's current underwriting standards;
 - (3) An attestation that:
 - (a) States that the underwriting standards included in the filing are in effect as of the date of the filing; and
 - (b) Is signed by an executive employee of the insurer with responsibility for the insurer's underwriting function; and
 - (4) Any other information that the Commissioner specifically requests in writing.
- C. As of July 1, 2026, an insurer may not implement or use an amendment to its underwriting standards for homeowner's insurance unless the insurer has filed the amendment to its underwriting standards with the Commissioner.
- D. A filing is required under § C of this regulation before an insurer:
 - (1) Adopts a new underwriting standard;
 - (2) Alters an existing underwriting standard; or
 - (3) Withdraws or ceases to use an existing underwriting standard in making underwriting decisions.
- E. An insurer that makes a filing under § C of this regulation shall include the following information in the filing:
 - (1) The insurer's NAIC number;
 - (2) A copy of the new underwriting standard, a copy of the altered underwriting standard with alterations redlined or otherwise clearly identified, or notice of the withdrawal of the underwriting standard;
 - (3) An attestation that:
 - (a) States the date on which the amendment to the insurer's underwriting standards will become effective; and
 - (b) Is signed by an executive employee of the insurer with responsibility for the insurer's underwriting function; and
 - (4) Any other information that the Commissioner specifically requests in writing.
- F. A filing required under §§ A or C of this regulation shall be submitted via the System for Electronic Rates and Forms Filing that is maintained by the NAIC:
 - (1) Under the filing type labeled "Underwriting Guidelines;" and
 - (2) With a citation to this regulation entered in the field labeled "Product Name."
- G. A filing fee will not be assessed for a filing that is:
 - (1) Required under §§ A or C of this regulation; and
 - (2) Submitted in accordance with § F of this regulation.
- H. The Commissioner's acceptance of a filing required under §§ A or C of this regulation does not constitute approval of any underwriting standard included in the filing.
- I. This regulation does not alter any filing requirement pertaining to an underwriting standard that requires a hurricane percentage deductible that exceeds 5 percent pursuant to chapter 13 of this subtitle.

.05 Filing of Underwriting Standards for Private Passenger Motor Vehicle Insurance.

- A. An insurer shall file its current underwriting standards for private passenger motor vehicle insurance, including any supplements or amendments that have been adopted, with the Commissioner on or before July 1, 2027.
- B. An insurer that makes a filing under § A of this regulation shall include the following information in the filing:
 - (1) The insurer's NAIC number;
 - (2) A copy of the insurer's current underwriting standards;
 - (3) An attestation that:
 - (a) States that the underwriting standards included in the filing are in effect as of the date of the filing; and
 - (b) Is signed by an executive employee of the insurer with responsibility for the insurer's underwriting function; and
 - (4) Any other information that the Commissioner specifically requests in writing.
- C. As of July 1, 2027, an insurer may not implement or use an amendment to its underwriting standards for private passenger motor vehicle insurance unless the insurer has filed the amendment to its underwriting standards with the Commissioner.
- D. A filing is required under § C of this regulation before an insurer:
 - (1) Adopts a new underwriting standard;
 - (2) Alters an existing underwriting standard; or
 - (3) Withdraws or ceases to use an existing underwriting standard in making underwriting decisions.
- E. An insurer that makes a filing under § C of this regulation shall include the following information in the filing:
 - (1) The insurer's NAIC number;

(2) A copy of the new underwriting standard, a copy of the altered underwriting standard with alterations redlined or otherwise clearly identified, or notice of the withdrawal of the underwriting standard;

(3) An attestation that:

(a) States the date on which the amendment to the insurer's underwriting standards will become effective; and

(b) Is signed by an executive employee of the insurer with responsibility for the insurer's underwriting function; and

(4) Any other information the Commissioner considers necessary.

F. A filing required under §§ A or C of this regulation shall be submitted via the System for Electronic Rates and Forms Filing that is maintained by the NAIC:

(1) Under the filing type labeled "Underwriting Guidelines;" and

(2) With a citation to this regulation entered in the field labeled "Product Name."

G. A filing fee will not be assessed for a filing that is:

(1) Required under §§ A or C of this regulation; and

(2) Submitted in accordance with § F of this regulation.

H. The Commissioner's acceptance of a filing required under §§ A or C of this regulation does not constitute approval of any underwriting standard included in the filing.