LARRY HOGAN Governor

BOYD K. RUTHERFORD Lt. Governor



AL REDMER, JR. Commissioner

NANCY GRODIN Deputy Commissioner

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March 29, 2016

Administrative, Executive and Legislative Review (AELR) Committee 90 State Circle Annapolis, MD 21401

Governor's Office Attn: Jeannie Haddaway-Riccio, Deputy Chief of Staff State House Annapolis, MD 21401

Division of State Documents State House Annapolis, MD 21401

State Publications Depository and Distribution Program Attn: Brigid Sye-Jones Enoch Pratt Free Library 400 Cathedral St. Baltimore, MD 21201

Department of Legislative Services Library 90 State Circle Annapolis, MD 21401

RE: Regulatory Review and Evaluation Act Evaluation Report-COMAR 31.08

Dear Sir or Madam:

I am filing the required number of copies of the attached Evaluation Report on behalf of the Maryland Insurance Administration as follows:

- AELR Committee-one copy
- Governor's Office (Jeannie Haddaway-Riccio) -one copy
- Division of State Documents-one copy

- State Library Resource Center via State Publications Depository and Distribution Program (Brigid Sye-Jones)-sixteen copies
- Department of Legislative Services Library-five copies

If you have any questions, or require additional information, please contact me at the above-referenced telephone number and email address.

Sincerely, signature on original

Lisa Larson, Assistant Director of Regulatory Affairs, Office of the Commissioner

Chapter C	odificatio	on:	COMAR 31.08.01	
Chapter N	ame:	Antia	arson Application	
Authority:	Insura	ince A	ticle, §2-109 and T	itle 19, Subtitle 3, Annotated Code of Maryland
Date Orig	inally Ad	lopted	or Last Amended:	June 1, 1983
Purpose:	produce	er soli	citing insurance requ	set forth a standard antiarson application that each insurer or airing the use of an antiarson application shall require t prior to issuing the insurance policy.
A. Review 01.01.200		ia. (St	ate Government Art	icle, §10-132(1)(i), Annotated Code of Maryland; COMAR
(1) Do	the regu	ılation	s continue to be nec	essary for the public interest?
(2) Do	the regu	lation	s continue to be sup	ported by statutory authority and judicial opinion? X Yes No
(3) Ar	e the reg	ulation	as obsolete or otherv	vise appropriate for amendment or repeal? x Yes No
(4) Ar	e the reg	ulatior	as effective in accom	aplishing their intended purpose?
B. Outre	ach and	Resea	rch. (State Govern	ment Article, §10-135(a)(2)(i)–(viii), Annotated Code of Maryland)
			ders invited to revie review process.	w the regulations and provide a summary of their participation in
; ; ; ;	pages of Center, Foages recentiation in the for pages for pages for pages of the foreign of	the Mor Insteller to conceople	aryland Insurance aurers, For Produce an email message al nment, along with a	Administration's (MIA) website: Proposed Regulations, News rs, and For Consumers. In addition, subscribers to these web erting them to the regulatory review notice. Notices included an a contact name and information. Every notice included an email comments. Comments were collected for sixty (60) days. No
, ,	•		fected agencies that in and input into the	were invited to review the regulations and provide a summary of ne review process.

All State agencies were notified through publication in the *Maryland Register* and on the Secretary of State's Division of State Documents (DSD) website. No comments were received.

	 (a) any notice published in the Maryland Register; (b) any notice published in newspapers of general circulation; (c) any notice posted on the unit's website or on a Statewide website created for units to post notices of regulation review; (d) any mailing by the adopting authority; and (e) any public hearing held.
	Notice was published in the <i>Maryland Register</i> , on the DSD website, and on the following pages of the MIA website: Proposed Regulations, News Center, For Insurers, For Producers, and For Consumers. In addition, subscribers to these web pages received an email message alerting them to the regulatory review notice. Every notice included an email link for people wishing to submit comments. Comments were collected for sixty (60) days. No comments were received.
(4)	Provide summaries of: (a) all comments received from stakeholders, affected units, or the public; and (b) the adopting authority's responses to those comments.
	N/A.
(5)	Describe any interunit conflict reviewed and the resolution or proposed resolution of that conflict.
	N/A.
(6)	Provide a summary of any relevant scientific data gathered.
	N/A.
(7)	Provide a summary of any relevant information gathered related to the regulations of other states or the federal government.
	N/A.
(8)	Provide a summary of any other relevant information gathered.
	N/A.
standa: Admin	der COMAR 01.01.2003.20E(3), does the agency have any existing policy statements, guidelines, or rds being applied or enforced which should be promulgated as regulations, in accordance with the histrative Procedure Act? Yes No s the agency promulgated all regulations required by recent legislation? X Yes No

(3) Describe the process used to solicit public comment, including:

N/A. There are no existing policy statements, guidelines, or standards pertaining to antiarson applications being applied or enforced which should be promulgated as regulations in accordance with the Administrative Procedure Act. Likewise, there is no recent legislation pertaining to antiarson applications requiring promulgation of regulations or amendments to COMAR 31.08.01.

D. Actions Needed. (State Government Article, §10-135(a)(2)(ix) – (xi), Annotated Code of Maryland) (check all that apply)

no action

X amendment

repeal

repeal and adopt new regulations

reorganization

Summary:

This chapter continues to be necessary for the public interest, and continues to be supported by statutory authority and judicial opinions. No substantive amendments are recommended at this time. The MIA will propose technical amendments to Regulations .02 and .03 to update the outdated reference to "broker or agent" to the updated term "producer."

Person performing review:

Lisa Larson, Esq.

Title:

Assistant Director of Regulatory Affairs

Chapter Codification:		COMAR 31.08.02	
Chapter Name: To		1-Free Telephone Number	
Authority:	Insurance .	Article, §§2-109 and 2-112, Annotated Code of Maryland	
Date Origin	nally Adopte	d or Last Amended: May 6, 1996	
Purpose:	_ ~	e of this chapter is to establish a toll-free telephone number to assist and educate concerning the purchase of private passenger automobile insurance.	
A. Review 01.01.2003		State Government Article, §10-132(1)(i), Annotated Code of Maryland; COMAR	
(1) Do	the regulatio	ns continue to be necessary for the public interest? X Yes No	
(2) Do	the regulatio	ons continue to be supported by statutory authority and judicial opinion? XYes No	
(3) Are	the regulation	ons obsolete or otherwise appropriate for amendment or repeal? X Yes No	
(4) Are	the regulation	ons effective in accomplishing their intended purpose? X Yes No	
B. Outreach and Research. (State Government Article, §10-135(a)(2)(i)-(viii), Annotated Code of Maryland)			
		olders invited to review the regulations and provide a summary of their participation in ne review process.	
pa C pa in lii	ages of the lenter, For Inages received ages received avitation to c	Maryland Insurance Administration's (MIA) website: Proposed Regulations, News nsurers, For Producers, and For Consumers. In addition, subscribers to these web an email message alerting them to the regulatory review notice. Notices included an omment, along with a contact name and information. Every notice included an email e wishing to submit comments. Comments were collected for sixty (60) days. No re received.	
		affected agencies that were invited to review the regulations and provide a summary of on in and input into the review process.	
A	.11 State agen f State's Div	cies were notified through publication in the <i>Maryland Register</i> and on the Secretary ision of State Documents (DSD) website. No comments were received.	

·	 (a) any notice published in the Maryland Register; (b) any notice published in newspapers of general circulation; (c) any notice posted on the unit's website or on a Statewide website created for units to post notices of regulation review; (d) any mailing by the adopting authority; and (e) any public hearing held.
	Notice was published in the <i>Maryland Register</i> , on the DSD website, and on the following pages of the MIA website: Proposed Regulations, News Center, For Insurers, For Producers, and For Consumers. In addition, subscribers to these web pages received an email message alerting them to the regulatory review notice. Every notice included an email link for people wishing to submit comments. Comments were collected for sixty (60) days. No comments were received.
(4)	Provide summaries of: (a) all comments received from stakeholders, affected units, or the public; and (b) the adopting authority's responses to those comments.
	N/A.
(5)	Describe any interunit conflict reviewed and the resolution or proposed resolution of that conflict.
	N/A.
(6)	Provide a summary of any relevant scientific data gathered.
	N/A.
(7)	Provide a summary of any relevant information gathered related to the regulations of other states or the federal government.
	N/A.
(8)	Provide a summary of any other relevant information gathered.
	N/A.
standa: Admin	der COMAR 01.01.2003.20E(3), does the agency have any existing policy statements, guidelines, or rds being applied or enforced which should be promulgated as regulations, in accordance with the listrative Procedure Act? Yes No s the agency promulgated all regulations required by recent legislation? X Yes No

(3) Describe the process used to solicit public comment, including:

N/A. There are no existing policy statements, guidelines, or standards pertaining to the establishment of a toll-free telephone number to assist and educate consumers concerning the purchase of private passenger automobile insurance which should be promulgated as regulations in accordance with the Administrative Procedure Act. Likewise, there is no recent legislation pertaining to the establishment of a toll-free telephone number to assist and educate consumers concerning the purchase of private passenger automobile insurance requiring promulgation of regulations or amendments to COMAR 31.08.02.

D. Actions Needed. (State Government Article, §10-135(a)(2)(ix) – (xi), Annotated Code of Maryland) (check all that apply)

no action

X amendment

repeal

repeal and adopt new regulations

reorganization

Summary:

This chapter continues to be necessary for the public interest, and continues to be supported by statutory authority and judicial opinions.

The MIA will propose technical amendments to this Chapter as follows:

- Remove §2-112, Insurance Article, Annotated Code of Maryland, from the enabling authority, as §2-112 is not necessary authority for promulgation of this Chapter;
- Amend Regulations .02B and C to replace the term "agents" with "insurance producers," which includes both agents and brokers and is the term used in §2-209, Insurance Article, Annotated Code of Maryland; and
- Amend Regulation .02C to replace the term "companies" with "insurers," which is broader and mirrors the statutory language in §2-209, Insurance Article, Annotated Code of Maryland.

Person performing review:

Lisa Larson, Esq.

Title:

Assistant Director of Regulatory Affairs

Chapter C	odificatio	n: COMAR 31.08.03
Chapter N	ame:	Notices of Cancellation, Nonrenewal, Premium Increase, and Reduction in Coverage
Authority:	Insura	nce Article, §§2-109, 27-613, and 27-614, Annotated Code of Maryland
Date Orig	inally Ad	opted or Last Amended: October 8, 2015
Purpose:	liability premius the prop accorda	pose of this chapter is to ensure that all insurers issuing private passenger motor vehicle insurance policies in Maryland include in their notices of cancellation, nonrenewal, in increase, or reduction in coverage, a statement concerning the insured's right to protest posed action of the insurer within 30 days after the date of mailing of the notice in increase with Insurance Article, §§27-613 and 27-614, Annotated Code of Maryland, which porated by reference.
A. Review 01.01.200		a. (State Government Article, §10-132(1)(i), Annotated Code of Maryland; COMAR
(1) Do	the regu	lations continue to be necessary for the public interest? X Yes No
(2) Do	the regu	lations continue to be supported by statutory authority and judicial opinion? X Yes No
		plations obsolete or otherwise appropriate for amendment or repeal? X Yes
` ,	_	Research. (State Government Article, §10-135(a)(2)(i)-(viii), Annotated Code of Maryland)
		keholders invited to review the regulations and provide a summary of their participation in to the review process.
F C I i	pages of Center, Foages reconvitation ink for p	broducers, and consumers were alerted to the review via notices posted on the following the Maryland Insurance Administration's (MIA) website: Proposed Regulations, News or Insurers, For Producers, and For Consumers. In addition, subscribers to these websived an email message alerting them to the regulatory review notice. Notices included an to comment, along with a contact name and information. Every notice included an email ecople wishing to submit comments. Comments were collected for sixty (60) days. No swere received.
(2) Li	ist any ot	ner affected agencies that were invited to review the regulations and provide a summary of

All State agencies were notified through publication in the Maryland Register and on the Secretary

of State's Division of State Documents (DSD) website. No comments were received.

their participation in and input into the review process.

```	Describe the process used to solicit public comment, including:  (a) any notice published in the Maryland Register;  (b) any notice published in newspapers of general circulation;  (c) any notice posted on the unit's website or on a Statewide website created for units to post notices of regulation review;  (d) any mailing by the adopting authority; and  (e) any public hearing held.
	Notice was published in the <i>Maryland Register</i> , on the DSD website, and on the following pages of the MIA website: Proposed Regulations, News Center, For Insurers, For Producers, and For Consumers. In addition, subscribers to these web pages received an email message alerting them to the regulatory review notice. Every notice included an email link for people wishing to submit comments. Comments were collected for sixty (60) days. No comments were received.
. ,	Provide summaries of: (a) all comments received from stakeholders, affected units, or the public; and (b) the adopting authority's responses to those comments.
	N/A.
(5)	Describe any interunit conflict reviewed and the resolution or proposed resolution of that conflict.
	N/A.
(6)	Provide a summary of any relevant scientific data gathered.
	N/A.
(7)	Provide a summary of any relevant information gathered related to the regulations of other states or the federal government.
	N/A.
(8)	Provide a summary of any other relevant information gathered.
	N/A.
standar Admin	der COMAR 01.01.2003.20E(3), does the agency have any existing policy statements, guidelines, or described by the description of the description o

N/A. There are no existing policy statements, guidelines, or standards pertaining to notices of cancellation, nonrenewal, premium increase, and reduction in coverage being applied or enforced which should be promulgated as regulations in accordance with the Administrative Procedure Act. Likewise, there is no recent legislation pertaining to notices of cancellation, nonrenewal, premium increase, and reduction in coverage requiring promulgation of regulations or amendments to COMAR 31.08.03.

**D.** Actions Needed. (State Government Article, §10-135(a)(2)(ix) – (xi), Annotated Code of Maryland) (check all that apply)

no action

X amendment

repeal

repeal and adopt new regulations

reorganization

#### Summary:

This chapter continues to be necessary for the public interest, and continues to be supported by statutory authority and judicial opinions. No substantive amendments are recommended at this time. The MIA will propose a technical amendment to add Insurance Article, §27-609, Annotated Code of Maryland, to the enabling authority for this Chapter, as this statute is the basis for certain information contained in the forms in Regulations .07 and .08.

Person performing review:

Lisa Larson, Esq.

Title:

Assistance Director of Regulatory Affairs

Chapter Codification:		on: COMAR 31.08.04
Chapter Name: Mo		Motor Vehicle Insurance—Out-of-State Coverage
Authority:		ance Article, §§1-101(k), 2-108, 2-109, and 19-101(a) and (b), Title 11, Subtitle 2, and 19, Subtitle 5; Transportation Article, Title 17, Subtitle 1; Annotated Code of Maryland
Date Origi	nally Ad	opted or Last Amended: March 1, 1984
Purpose:	of-State	pose of this chapter is to set a standard for the required policy provision regarding out- insurance coverage that each insurer issuing a motor vehicle liability insurance policy g a Maryland resident shall include in the policy.
<b>A. Review</b> 01.01.2003		ia. (State Government Article, §10-132(1)(i), Annotated Code of Maryland; COMAR
(1) Do	the regu	lations continue to be necessary for the public interest? X Yes No
(2) Do	the regu	lations continue to be supported by statutory authority and judicial opinion? XYes N
(3) Are	e the regu	alations obsolete or otherwise appropriate for amendment or repeal?
(4) Are	e the regu	ulations effective in accomplishing their intended purpose? X Yes No
B. Outrea	ach and	Research. (State Government Article, §10-135(a)(2)(i)–(viii), Annotated Code of Maryland
		akeholders invited to review the regulations and provide a summary of their participation in to the review process.
p C p in li	ages of the content o	producers, and consumers were alerted to the review via notices posted on the following the Maryland Insurance Administration's (MIA) website: Proposed Regulations, News or Insurers, For Producers, and For Consumers. In addition, subscribers to these web eived an email message alerting them to the regulatory review notice. Notices included an to comment, along with a contact name and information. Every notice included an email eople wishing to submit comments. Comments were collected for sixty (60) days. No sewere received.
` '		her affected agencies that were invited to review the regulations and provide a summary of epation in and input into the review process.

All State agencies were notified through publication in the *Maryland Register* and on the Secretary of State's Division of State Documents (DSD) website. No comments were received.

1	Describe the process used to solicit public comment, including:  (a) any notice published in the Maryland Register;  (b) any notice published in newspapers of general circulation;  (c) any notice posted on the unit's website or on a Statewide website created for units to post notices of regulation review;
	(d) any mailing by the adopting authority; and (e) any public hearing held.
	Notice was published in the <i>Maryland Register</i> , on the DSD website, and on the following pages of the MIA website: Proposed Regulations, News Center, For Insurers, For Producers, and For Consumers. In addition, subscribers to these web pages received an email message alerting them to the regulatory review notice. Every notice included an email link for people wishing to submit comments. Comments were collected for sixty (60) days. No comments were received.
( )	Provide summaries of:  (a) all comments received from stakeholders, affected units, or the public; and  (b) the adopting authority's responses to those comments.
	N/A.
(5)	Describe any interunit conflict reviewed and the resolution or proposed resolution of that conflict.
	N/A.
(6)	Provide a summary of any relevant scientific data gathered.
	N/A.
	Provide a summary of any relevant information gathered related to the regulations of other states or the federal government.
	N/A.
(8)	Provide a summary of any other relevant information gathered.
	N/A.
standar Admin	der COMAR 01.01.2003.20E(3), does the agency have any existing policy statements, guidelines, or ds being applied or enforced which should be promulgated as regulations, in accordance with the istrative Procedure Act?  Yes  No  The agency promulgated all regulations required by recent legislation?  X  Yes  No

N/A. There are no existing policy statements, guidelines, or standards pertaining to out-of-State motor vehicle insurance coverage being applied or enforced which should be promulgated as regulations in accordance with the Administrative Procedure Act. Likewise, there is no recent legislation pertaining to out-of-State motor vehicle insurance coverage requiring promulgation of regulations or amendments to COMAR 31.08.04.

**D.** Actions Needed. (State Government Article, §10-135(a)(2)(ix) – (xi), Annotated Code of Maryland) (check all that apply)

X no action

amendment

repeal

repeal and adopt new regulations

reorganization

#### Summary:

This chapter continues to be necessary for the public interest, and continues to be supported by statutory authority and judicial opinions. No amendments are recommended at this time.

Person performing review:

Lisa Larson, Esq.

Title:

Assistant Director of Regulatory Affairs

Chapter C	odification: COMAR 31.08.06	
Chapter N	ame: Nation-Wide Marine Definition and Plan for Interpretation	
Authority	Insurance Article, §§1-101(y), (z), and (qq) and 2-109, Annotated Code of Maryland	
Date Orig	nally Adopted or Last Amended: May 1, 1968	
Purpose:	The purpose of this chapter is to describe the kinds of risks and coverages which may be or identified under State Insurance Laws as marine, inland marine, or transportation insuradoes not include all of the kinds of risks and coverages which may be written, classified, or identified under marine, inland marine, or transportation insuring powers.	ance, but
<b>A. Revie</b> 01.01.200	w Criteria. (State Government Article, §10-132(1)(i), Annotated Code of Maryland; COM. 3.20E)	AR
(1) Do	the regulations continue to be necessary for the public interest?    Yes    No	
(2) Do	the regulations continue to be supported by statutory authority and judicial opinion?	Yes N
. ,	e the regulations obsolete or otherwise appropriate for amendment or repeal?  Yes  e the regulations effective in accomplishing their intended purpose?  X Yes No	x No
	ach and Research. (State Government Article, §10-135(a)(2)(i)–(viii), Annotated Code of	Maryland
• •	st any stakeholders invited to review the regulations and provide a summary of their partici d input into the review process.	pation in
-	nsurers, producers, and consumers were alerted to the review via notices posted on the foreages of the Maryland Insurance Administration's (MIA) website: Proposed Regulations Center, For Insurers, For Producers, and For Consumers. In addition, subscribers to the pages received an email message alerting them to the regulatory review notice. Notices included a notice to comment, along with a contact name and information. Every notice included a link for people wishing to submit comments. Comments were collected for sixty (60) date comments were received.	s, News ese web uded an n email
	ist any other affected agencies that were invited to review the regulations and provide a sun eir participation in and input into the review process.	nmary of
i i	All State agencies were notified through publication in the <i>Maryland Register</i> and on the Seof State's Division of State Documents (DSD) website. No comments were received.	ecretary

	Describe the process used to solicit public comment, including:  (a) any notice published in the Maryland Register;  (b) any notice published in newspapers of general circulation;  (c) any notice posted on the unit's website or on a Statewide website created for units to post notices of regulation review;  (d) any mailing by the adopting authority; and
	(e) any public hearing held.
	Notice was published in the <i>Maryland Register</i> , on the DSD website, and on the following pages of the MIA website: Proposed Regulations, News Center, For Insurers, For Producers, and For Consumers. In addition, subscribers to these web pages received an email message alerting them to the regulatory review notice. Every notice included an email link for people wishing to submit comments. Comments were collected for sixty (60) days. No comments were received.
` '	Provide summaries of:  (a) all comments received from stakeholders, affected units, or the public; and (b) the adopting authority's responses to those comments.
	N/A.
(5)	Describe any interunit conflict reviewed and the resolution or proposed resolution of that conflict.
	N/A.
(6)	Provide a summary of any relevant scientific data gathered.
	N/A.
(7)	Provide a summary of any relevant information gathered related to the regulations of other states or the federal government.
	N/A.
(8)	Provide a summary of any other relevant information gathered.
	N/A.
tandar Admin	der COMAR 01.01.2003.20E(3), does the agency have any existing policy statements, guidelines, or described by the description of the description o

N/A. There are no existing policy statements, guidelines, or standards pertaining to the kinds of risks and coverages which may be classified as marine, inland marine, or transportation insurance being applied or enforced which should be promulgated as regulations in accordance with the Administrative Procedure Act. Likewise, there is no recent legislation pertaining to the kinds of risks and coverages which may be classified as marine, inland marine or transportation insurance requiring promulgation of regulations or amendments to COMAR 31.08.06.

**D.** Actions Needed. (State Government Article, §10-135(a)(2)(ix) – (xi), Annotated Code of Maryland) (check all that apply)

X no action

amendment

repeal

repeal and adopt new regulations

reorganization

#### Summary:

This chapter continues to be necessary for the public interest, and continues to be supported by statutory authority and judicial opinions. No amendments are recommended at this time.

Person performing review:

Lisa Larson, Esq.

Title:

Assistant Director of Regulatory Affairs

Chapter	Codificati	ion:	COMAR 31.08.08
Chapter	Name:	Lea	d Poisoning
Authorit	ty: Insur	ance A	Article, §2-109 and Title 19, Subtitle 7, Annotated Code of Maryland
Date Or	iginally A	dopte	d or Last Amended: September 22, 1997
Purpose	1 mo po		of this chapter is to establish requirements for liability insurance concerning lead affected property.
	iew Crite 003,20E)	ria. (S	tate Government Article, §10-132(1)(i), Annotated Code of Maryland; COMAR
(1) I	Oo the reg	ulatio:	ns continue to be necessary for the public interest? X Yes No
(2) I	Oo the reg	ulatio	ns continue to be supported by statutory authority and judicial opinion? XYes N
` '	_	-	ons obsolete or otherwise appropriate for amendment or repeal? X Yes No ons effective in accomplishing their intended purpose? X Yes No
B. Out	reach and	l Rese	earch. (State Government Article, §10-135(a)(2)(i)—(viii), Annotated Code of Maryland
			olders invited to review the regulations and provide a summary of their participation in the review process.
	pages of Center, I pages rec invitation link for	Tthe More Inceived to to compare to the people of the peop	daryland Insurance Administration's (MIA) website: Proposed Regulations, News asurers, For Producers, and For Consumers. In addition, subscribers to these web an email message alerting them to the regulatory review notice. Notices included an email email message alerting them and information. Every notice included an email emission with a contact name and information. Every notice included an email emission with a submit comments. Comments were collected for sixty (60) days. No re received.
			ffected agencies that were invited to review the regulations and provide a summary of on in and input into the review process.
			cies were notified through publication in the <i>Maryland Register</i> and on the Secretary sion of State Documents (DSD) website. No comments were received.

- (3) Describe the process used to solicit public comment, including:
  - (a) any notice published in the Maryland Register;
  - (b) any notice published in newspapers of general circulation;
  - (c) any notice posted on the unit's website or on a Statewide website created for units to post notices of regulation review;
  - (d) any mailing by the adopting authority; and
  - (e) any public hearing held.

Notice was published in the *Maryland Register*, on the DSD website, and on the following pages of the MIA website: Proposed Regulations, News Center, For Insurers, For Producers, and For Consumers. In addition, subscribers to these web pages received an email message alerting them to the regulatory review notice. Every notice included an email link for people wishing to submit comments. Comments were collected for sixty (60) days. No comments were received.

- (4) Provide summaries of:
  - (a) all comments received from stakeholders, affected units, or the public; and
  - (b) the adopting authority's responses to those comments.

N/A.

(5) Describe any interunit conflict reviewed and the resolution or proposed resolution of that conflict.

N/A.

(6) Provide a summary of any relevant scientific data gathered.

N/A.

(7) Provide a summary of any relevant information gathered related to the regulations of other states or the federal government.

N/A.

(8) Provide a summary of any other relevant information gathered.

The Maryland Insurance Administration notes that in 2011 the Maryland Court of Appeals held that certain provisions in the Reduction of Lead Risk in Housing Act, which grant owners of affected properties who make a qualified offer immunity from civil suit, are unconstitutional. *See Jackson v. Dackman*, 422 Md. 357 (2011). This chapter contains certain language reflecting the requirements of the Reduction of Lead Risk in Housing Act. Counsel to the MIA has reviewed these regulations and has determined that no amendment to this Chapter is needed at this time, as the regulations are not inconsistent with case law.

C. Under COMAR 01.01.2003.20E(3), does the agency have any existing policy statements, guidelines, or standards being applied or enforced which should be promulgated as regulations, in accordance with the Administrative Procedure Act?  Yes  x  No
Has the agency promulgated all regulations required by recent legislation?    X Yes No
Provide explanations of the above responses, as needed:
N/A. There are no existing policy statements, guidelines, or standards pertaining to lead hazards being applied or enforced which should be promulgated as regulations in accordance with the Administrative Procedure Act. Likewise, there is no recent legislation pertaining to lead hazards requiring promulgation of regulations or amendments to COMAR 31.08.08.
D. Actions Needed. (State Government Article, §10-135(a)(2)(ix) – (xi), Annotated Code of Maryland) (check all that apply) no action
X amendment
repeal
repeal and adopt new regulations
reorganization
Summary:
This chapter continues to be necessary for the public interest, and continues to be supported by statutory authority. No substantive amendments are recommended at this time. The MIA will propose a technical amendment to the cross reference in Regulation .07A to "Regulation .04B of this chapter." This cross-reference is inaccurate and should read "Regulation .06B of this chapter."
Person performing review: Lisa Larson, Esq.
Title: Assistant Director of Regulatory Affairs
· · · · · · · · · · · · · · · · · · ·

Chapter Co	odification:	COMAR 31.08.09					
Chapter Na	Chapter Name: Group Self-Insurance for Workers' Compensation						
Authority:	Authority: Insurance Article, §2-109, and Title 25, Subtitle 3, Annotated Code of Maryland						
Date Origi	nally Adopte	ed or Last Amended: June 30, 2008					
Purpose:	This chapter sets forth requirements for workers' compensation self-insurance groups. This chapter describes, among other things, requirements for the creation, maintenance, merger, termination, and financial affairs that apply to these types of groups.						
A. Review 01.01.2003		State Government Article, §10-132(1)(i), Annotated Code of Maryland; COMAR					
(1) Do	the regulation	ons continue to be necessary for the public interest? X Yes No					
(2) Do	the regulation	ons continue to be supported by statutory authority and judicial opinion? XYes No					
` '	(3) Are the regulations obsolete or otherwise appropriate for amendment or repeal?  Yes  No  (4) Are the regulations effective in accomplishing their intended purpose?  Yes  No						
B. Outrea	ach and Res	earch. (State Government Article, §10-135(a)(2)(i)-(viii), Annotated Code of Maryland)					
		nolders invited to review the regulations and provide a summary of their participation in the review process.					
Insurers, producers, and consumers were alerted to the review via notices posted on the following pages of the Maryland Insurance Administration's (MIA) website: Proposed Regulations, News Center, For Insurers, For Producers, and For Consumers. In addition, subscribers to these web pages received an email message alerting them to the regulatory review notice. Notices included an invitation to comment, along with a contact name and information. Every notice included an email link for people wishing to submit comments. Comments were collected for sixty (60) days. One set of comments were received from Alan N. Gamse, an Attorney at Semmes, Bowen & Semmes, on behalf of the MACS Workers' Compensation Self-Insurance Group.							
		affected agencies that were invited to review the regulations and provide a summary of ion in and input into the review process.					

All State agencies were notified through publication in the *Maryland Register* and on the Secretary of State's Division of State Documents (DSD) website. No comments were received.

- (3) Describe the process used to solicit public comment, including:
  - (a) any notice published in the Maryland Register;
  - (b) any notice published in newspapers of general circulation;
  - (c) any notice posted on the unit's website or on a Statewide website created for units to post notices of regulation review;
  - (d) any mailing by the adopting authority; and
  - (e) any public hearing held.

Notice was published in the *Maryland Register*, on the DSD website, and on the following pages of the MIA website: Proposed Regulations, News Center, For Insurers, For Producers, and For Consumers. In addition, subscribers to these web pages received an email message alerting them to the regulatory review notice. Every notice included an email link for people wishing to submit comments. Comments were collected for sixty (60) days. Aside from the stakeholder comment noted in section B(1) above, no comments were received.

#### (4) Provide summaries of:

- (a) all comments received from stakeholders, affected units, or the public; and
- (b) the adopting authority's responses to those comments.

The MACS Workers' Compensation Self-Insurance Group ("the Group") had comments on two different portions of this chapter. These comments are summarized below.

COMMENT: Regarding COMAR 31.08.09.07, the Group suggested that rather than maintain a COMAR Regulation concerning insurance required attachment points which have been unavailable for many years and the associated opt-out approval, it might be more appropriate to require Workers' Compensation self-insurance groups to submit to the MIA a copy of the group's excess insurance policy (or its declarations page) for the current policy year at the time of submitting annual financial statements in March of each year. This would allow the MIA's financial examiners to review the group's financials and the reinsurance attachment point in light of these financials. If there were to be a problem with the attachment point, the MIA could then call in the group to discuss its financial status and the other options that might be available with respect to securing its obligations.

**RESPONSE:** The MIA agrees with the Group regarding the specific attachment points in COMAR 31.08.09.07, and will propose a substantive change to this regulation to eliminate the specified retention point. The MIA will also propose amendments to provide that the Commissioner will determine, based on specified factors, the retention amount needed for each group.

	amended to better conform to the Insurance Article, 25-304(b), Annotated Code of Maryland by removing the requirement that minimum required assets be demonstrated by "a financial statement certified by a certified public accountant and submitted for the group as a whole." The Group notes that based upon its discussions with CPAs, literal performance of this obligation would require the CPA to perform an actual examination of each of the group members so that the ultimate certification of the financial statements could be made on the group as a whole. This would be a terribly expensive obligation costing many thousands of dollars annually. Further it does not seem to reflect the actual regulatory practices of the MIA of the subject provision as presently implemented. The Group notes that it has no problem providing the annual financial statements of its members at the time it files its own financial statements with the MIA, and suggests the following language replace the current section D(2) to cure the above issue: "the combined net assets of all members be at least \$1,000,000 as shown by the financial statements of each of the members of the Group which are to be submitted to the Commissioner at the same
	time as the Group's annual financial statement is filed." <b>RESPONSE:</b> The MIA agrees with the Group and will propose substantive amendments to COMAR 31.08.09.08D to allow the \$1,000,000 threshold to be met by one or more of the members of the group individually to represent the group as a whole, as demonstrated by members' financial statements.
(5)	Describe any interunit conflict reviewed and the resolution or proposed resolution of that conflict.
	N/A.
(6)	Provide a summary of any relevant scientific data gathered.
	N/A.
(7)	Provide a summary of any relevant information gathered related to the regulations of other states or the federal government.
	The MIA reviewed parallel regulations on this topic in Pennsylvania, New York, New Jersey, and Delaware to gain insight on the regulatory practices of neighboring states in this arena.
(8)	Provide a summary of any other relevant information gathered.
	N/A.
standaı Admin	der COMAR 01.01.2003.20E(3), does the agency have any existing policy statements, guidelines, or ds being applied or enforced which should be promulgated as regulations, in accordance with the istrative Procedure Act?  Yes  No  s the agency promulgated all regulations required by recent legislation?  X  Yes  No

COMMENT: Regarding 31.08.09.08D(2), the Group suggests that COMAR 31.08.09.08D(2) be

N/A. There are no existing policy statements, guidelines, or standards pertaining to group self-insurance for workers' compensation groups being applied or enforced which should be promulgated as regulations in accordance with the Administrative Procedure Act. Likewise, there is no recent legislation pertaining to group self-insurance for workers' compensation groups requiring promulgation of regulations or amendments to COMAR 31.08.09.

**D.** Actions Needed. (State Government Article, §10-135(a)(2)(ix) – (xi), Annotated Code of Maryland) (check all that apply)

no action

X amendment

repeal

repeal and adopt new regulations

reorganization

#### Summary:

This chapter continues to be necessary for the public interest, and continues to be supported by statutory authority and judicial opinions.

Based upon stakeholder comments received, the MIA will propose the following substantive amendments to this Chapter:

- -Amend COMAR 31.08.09.07A to eliminate the specified retention point triggering the requirement for certain excess insurance coverage for a group, and will propose amendments to this Regulation to provide that the Commissioner will determine, based on specified factors, the retention amount needed for each group.
- Amend COMAR 31.08.09.08D to allow the \$1,000,000 threshold to be met by one or more of the members of the group individually to represent the group as a whole, as demonstrated by members' financial statements.
- -The MIA is evaluating whether Regulations .08 and .10 should be amended to replace the concept of a "certificate of authority" with "group approval." Unlike insurance companies, workers compensation self-insurance groups receive letters of approval to operate in Maryland, not formal licenses.

The MIA will propose the following technical amendment to this chapter:

-Insurance Article, §27-501, Annotated Code of Maryland, will be added to the list of enabling authority, as Regulation .15 of this Chapter is based upon this statute.

Person performing review:

Lisa Larson, Esq.

Title:

Assistant Director of Regulatory Affairs

Chapter Codificati	ion: COMAR 31.08.10						
Chapter Name: Medical Professional Insurers Online Claim Survey Reporting Requirements							
Authority: Insurance Article, §§4-401 and 4-405, Annotated Code of Maryland							
Date Originally A	dopted or Last Amended: May 22, 2006						
profes Comm	arpose of this chapter is to describe the financial report that an insurer who issues sional liability insurance to health care providers in the State shall submit to the hissioner, and to describe the closed claim survey that each insurer that issues professional ty insurance in the State shall complete and submit for each closed claim.						
A. Review Crite 01.01.2003.20E)	ria. (State Government Article, §10-132(1)(i), Annotated Code of Maryland; COMAR						
(1) Do the reg	gulations continue to be necessary for the public interest? X Yes No						
(2) Do the reg	(2) Do the regulations continue to be supported by statutory authority and judicial opinion? X Yes No						
, ,	gulations obsolete or otherwise appropriate for amendment or repeal?						
``	Research. (State Government Article, §10-135(a)(2)(i)–(viii), Annotated Code of Maryland)						
	(1) List any stakeholders invited to review the regulations and provide a summary of their participation in and input into the review process.						
pages of Center, pages re invitatio link for	producers, and consumers were alerted to the review via notices posted on the following of the Maryland Insurance Administration's (MIA) website: Proposed Regulations, News For Insurers, For Producers, and For Consumers. In addition, subscribers to these web ceived an email message alerting them to the regulatory review notice. Notices included an into comment, along with a contact name and information. Every notice included an email people wishing to submit comments. Comments were collected for sixty (60) days. One mments was received by Florence Marafatsos on behalf of Fortress insurance Company.						

(2) List any other affected agencies that were invited to review the regulations and provide a summary of their participation in and input into the review process.

All State agencies were notified through publication in the *Maryland Register* and on the Secretary of State's Division of State Documents (DSD) website. No comments were received.

- (3) Describe the process used to solicit public comment, including:
  - (a) any notice published in the Maryland Register;
  - (b) any notice published in newspapers of general circulation;
  - (c) any notice posted on the unit's website or on a Statewide website created for units to post notices of regulation review;
  - (d) any mailing by the adopting authority; and
  - (e) any public hearing held.

Notice was published in the *Maryland Register*, on the DSD website, and on the following pages of the MIA website: Proposed Regulations, News Center, For Insurers, For Producers, and For Consumers. In addition, subscribers to these web pages received an email message alerting them to the regulatory review notice. Every notice included an email link for people wishing to submit comments, Comments were collected for sixty (60) days. Aside from the stakeholder comments noted in section B(1) above, no comments were received.

- (4) Provide summaries of:
  - (a) all comments received from stakeholders, affected units, or the public; and
  - (b) the adopting authority's responses to those comments.

COMMENT: Fortress Insurance commented that it currently files its quarterly closed claim survey in accordance with COMAR 31.08.10.03 via an excel spreadsheet. Fortress would welcome the state's establishment of an online reporting system with a standardized reporting method. RESPONSE: The current closed claim survey template utilized by the MIA is a mirror image of the closed claim report that the MIA utilized in the 1990s. It was reestablished in the early 2000s. The current template is distributed via email to medical malpractice insurers by MIA staff for completion. Based upon this comment, the MIA will investigate its ability to make this survey available on its website. If the MIA decides to make the template available on the website, it doesn't appear that any type of regulatory change will be needed, as Regulation .03C provides for the MIA's use of any "online survey tool" in collecting the survey.

L	
(5)	Describe any interunit conflict reviewed and the resolution or proposed resolution of that conflict.
	N/A.
(6)	Provide a summary of any relevant scientific data gathered.

N/A.

(7) Provide a summary of an federal government.	ry relevant information gathered related to the regulations of other s	tates or the						
N/A.								
(8) Provide a summary of any other relevant information gathered.								
N/A.								
	20E(3), does the agency have any existing policy statements, guideled which should be promulgated as regulations, in accordance with Yes $x$ No	•						
Has the agency promulgated	all regulations required by recent legislation?  Yes X	No						
Provide explanations of the	above responses, as needed:							
professional insurers onleshould be promulgated as statutory amendments to	ting policy statements, guidelines, or standards pertaining to the ne claim survey reporting requirements being applied or enforced regulations in accordance with the Administrative Procedure Ac \$4-405 of the Insurance Article require two wording changes in this y in Section D of this report, below.	eed which t. Recent						
D. Actions Needed. (State Go (check all that apply)	vernment Article, §10-135(a)(2)(ix) – (xi), Annotated Code of Mary no action	vland)						
77								
X								
	repeal							
	repeal and adopt new regulations							
Summary:	reorganization							
	C 11 11: 14 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1							
authority and judicial opinion	necessary for the public interest, and continues to be supported bas.	y statutory						
Replace the word "c	llowing amendments to this Chapter: onfidential" with "proprietary" in COMAR 31.08.10.02B(1) cons Insurance Article, §4-405(a)(2)(i), Annotated Code of Maryland,							

• Replace the phrase "confidential information" with "confidential commercial information or confidential financial information" in COMAR 31.08.10.02B(2) consistent with statutory language in Insurance Article, §4-405(a)(2)(ii), Annotated Code of Maryland, part of the enabling authority for this chapter. As written, this subsection is broader than the amended statute.

enabling authority for this chapter.

Person performing review:

Lisa Larson, Esq.

Title:

Assistant Director of Regulatory Affairs

Chapter Co	odification:	COMAR 31.08.11						
Chapter Name: Liability of Insurer — Failure to Act in Good Faith								
Authority:	Insurance Article, §§2-109(a)(1) and 27-1001; Courts and Judicial Proceedings Article, §3-Authority: 1701; Annotated Code of Maryland							
Date Origi	Date Originally Adopted or Last Amended: October 11, 2013*							
warranted, a	s the amendme	amended within the last 8 years, the MIA did not feel that exemption from Regulatory Review was ints were non-substantive and did not entail a thorough review of this chapter. Thus, we did not seek a review of this chapter.						
Purpose:	This chapter is considered necessary to carry out Insurance Article, Title 27, Subtitle 10, Annotated Code of Maryland. It establishes the procedures for filing and processing civil complaints against property and casualty insurers that are required to be filed with the Administration pursuant to Insurance Article, §27-1001, Annotated Code of Maryland, and requires property and casualty insurers that are the subject of a civil action described in Courts and Judicial Proceedings Article, §3-1701(d), Annotated Code of Maryland, to report to the Administration certain information that the Administration is required to submit to the General Assembly pursuant to Insurance Article, §27-1001(h), Annotated Code of Maryland.							
A. Review 01.01.2003	,	State Government Article, §10-132(1)(i), Annotated Code of Maryland; COMAR						
(1) Do	the regulation	ons continue to be necessary for the public interest? X Yes No						
(2) Do	the regulation	ons continue to be supported by statutory authority and judicial opinion? XYes No						
(3) Are	e the regulati	ions obsolete or otherwise appropriate for amendment or repeal?						
(4) Ar	e the regulati	ions effective in accomplishing their intended purpose? X Yes No						
B. Outre	ach and Res	earch. (State Government Article, §10-135(a)(2)(i)–(viii), Annotated Code of Maryland)						
		nolders invited to review the regulations and provide a summary of their participation in the review process.						
p C p ii	ages of the Center, For I ages receive avitation to only for peop	ducers, and consumers were alerted to the review via notices posted on the following Maryland Insurance Administration's (MIA) website: Proposed Regulations, News Insurers, For Producers, and For Consumers. In addition, subscribers to these websid an email message alerting them to the regulatory review notice. Notices included an ecomment, along with a contact name and information. Every notice included an email ale wishing to submit comments. Comments were collected for sixty (60) days. No ere received.						

(2) List any other affected agencies that were invited to review the regulations and provide a summary of their participation in and input into the review process.

All State agencies were notified through publication in the *Maryland Register* and on the Secretary of State's Division of State Documents (DSD) website. No comments were received.

- (3) Describe the process used to solicit public comment, including:
  - (a) any notice published in the Maryland Register;
  - (b) any notice published in newspapers of general circulation;
  - (c) any notice posted on the unit's website or on a Statewide website created for units to post notices of regulation review;
  - (d) any mailing by the adopting authority; and
  - (e) any public hearing held.

Notice was published in the *Maryland Register*, on the DSD website, and on the following pages of the MIA website: Proposed Regulations, News Center, For Insurers, For Producers, and For Consumers. In addition, subscribers to these web pages received an email message alerting them to the regulatory review notice. Every notice included an email link for people wishing to submit comments. Comments were collected for sixty (60) days. No comments were received.

(4) Provide summaries of:

N/A.

N/A.

N/A.

- (a) all comments received from stakeholders, affected units, or the public; and
- (b) the adopting authority's responses to those comments.

(5) Describe any interunit conflict reviewed and the resolution or proposed resolution of that conflict.

(6) Provide a summary of any relevant scientific data gathered.

(7) Provide a summary of any relevant information gathered related to the regulations of other states or the federal government.

N/A.

(8) Provide a summary of any other relevant information gathered.

Currently, House Bill 990 Civil Actions — Liability of Disability Insurer- Failure to Act in Good Faith is pending in the legislature. This bill would add disability insurance to the types of insurance for which an insured may pursue a "lack of good faith" claim. If passed, this bill would require both technical and substantive changes to be made to this regulation. Since this bill is currently pending, the MIA will not recommend any changes to this regulation at this time.

C. Under COMAR 01.01.2003.20E(3), does the agency have any existing policy statements, guidelines, or standards being applied or enforced which should be promulgated as regulations, in accordance with the Administrative Procedure Act?  Yes  x No						
Has the agency promulgated all regulations required by recent legislation?    × Yes   No						
Provide explanations of the above responses, as needed:						
N/A. There are no existing policy statements, guidelines, or standards pertaining to the liability of the insurer for failure to act in good faith being applied or enforced which should be promulgated as regulations in accordance with the Administrative Procedure Act. Likewise, there is no recent legislation pertaining to the liability of the insurer for failure to act in good faith requiring promulgation of regulations or amendments to COMAR 31.08.11.						
<ul> <li>D. Actions Needed. (State Government Article, §10-135(a)(2)(ix) – (xi), Annotated Code of Maryland) (check all that apply)</li> <li>X no action</li> </ul>						
amendment						
repeal						
repeal and adopt new regulations						
reorganization						
Summary:						
This chapter continues to be necessary for the public interest, and continues to be supported by statutory authority and judicial opinions. No amendments are recommended at this time. The MIA will continue to monitor legislation currently pending in the General Assembly which affects these regulations.						
Person performing review: Lisa Larson, Esq.						
Assistant Director of Regulatory Affairs						

Chapter C	odification	n: COMAR 31.08.12				
Chapter N	ame:	Temporary Moratoriums and Weather Events				
Authority	Insuran	ce Article, §§2-108, 2-109, 19-107, and 27-501, Annotated Code of Maryland				
Date Orig	inally Ado	pted or Last Amended: April 14, 2014*				
	n $\hat{8}$ years of i	at this chapter would have been eligible for exemption from Regulatory Review, as it was initially adopted in The date that our work plan was submitted), we failed to do so. Thus, the MIA is providing a full evaluation				
Purpose:	moratori addition	pose of this chapter is to ensure that all authorized insurers that utilize temporary ums on the writing of property and casualty insurance, the addition of endorsements for all coverages, or other policy changes do so in a way that balances the interests of ers, insurers, producers, and Maryland businesses.				
<b>A. Revie</b> 01.01.200		. (State Government Article, §10-132(1)(i), Annotated Code of Maryland; COMAR				
(1) Do	the regula	ations continue to be necessary for the public interest?  Yes No				
(2) Do	the regula	ations continue to be supported by statutory authority and judicial opinion? X Yes N				
. ,	_	lations obsolete or otherwise appropriate for amendment or repeal?  Yes   No lations effective in accomplishing their intended purpose?  Yes   No				
B. Outre	each and F	Research. (State Government Article, §10-135(a)(2)(i)–(viii), Annotated Code of Maryland				
(1) List any stakeholders invited to review the regulations and provide a summary of their participation and input into the review process.						
	pages of the Center, For pages received invitation the contraction the contraction the contraction to the contraction of the co	roducers, and consumers were alerted to the review via notices posted on the following ne Maryland Insurance Administration's (MIA) website: Proposed Regulations, News r Insurers, For Producers, and For Consumers. In addition, subscribers to these web ived an email message alerting them to the regulatory review notice. Notices included an comment, along with a contact name and information. Every notice included an email ople wishing to submit comments. Comments were collected for sixty (60) days. One mments was received from Eric Goldberg on behalf of the American Insurance in (AIA).				

(2) List any other affected agencies that were invited to review the regulations and provide a summary of their participation in and input into the review process.

All State agencies were notified through publication in the *Maryland Register* and on the Secretary of State's Division of State Documents (DSD) website. No comments were received.

- (3) Describe the process used to solicit public comment, including:
  - (a) any notice published in the Maryland Register;
  - (b) any notice published in newspapers of general circulation;
  - (c) any notice posted on the unit's website or on a Statewide website created for units to post notices of regulation review;
  - (d) any mailing by the adopting authority; and
  - (e) any public hearing held.

Notice was published in the *Maryland Register*, on the DSD website, and on the following pages of the MIA website: Proposed Regulations, News Center, For Insurers, For Producers, and For Consumers. In addition, subscribers to these web pages received an email message alerting them to the regulatory review notice. Every notice included an email link for people wishing to submit comments. Comments were collected for sixty (60) days. Aside from the stakeholder comment noted in section B(1) above, no comments were received.

- (4) Provide summaries of:
  - (a) all comments received from stakeholders, affected units, or the public; and
  - (b) the adopting authority's responses to those comments.

**COMMENT:** The AIA commented that Maryland has the most onerous regulatory scheme of any state regarding the filing, activation, and deactivation of temporary underwriting moratoriums for weather events and emergencies. It further stated that the requirements regarding the notice of activation are confusing because they require an insurer to provide advanced notice of the time a temporary underwriting moratorium will be active even though the moratorium cannot be activated until a triggering event takes place. Finally it stated that section 31.08.12.03C(1) puts restrictions on the types of weather events that trigger a temporary underwriting moratorium and that these restrictions are too limited. The AIA recommends that the limitation to hurricane and tropical storms should be amended to recognize other legitimate weather events for activating a temporary underwriting moratorium.

**RESPONSE:** The MIA notes that this issue was also raised by stakeholders during the MIA's June 2015 public meetings with industry. The MIA is currently reviewing its procedures for the operation of temporary moratoriums, and is considering the changes recommended by AIA and other stakeholders. The MIA expects to make a decision in 2016 as to whether or not protocol (including these regulations) needs to be modified.

(	5)	Describe any	interunit	conflict	reviewed	and the	resolution	or propose	d resolution	of that	conflict.

N/A.

(6) Provide a summary of any relevant scientific data gathered.

N/A.

(7) Provide a summary of any relevant information gathered related to the reg federal government.	gulations of other states or the
N/A.	
(8) Provide a summary of any other relevant information gathered.	
N/A.	
C. Under COMAR 01.01.2003.20E(3), does the agency have any existing policy standards being applied or enforced which should be promulgated as regulations, Administrative Procedure Act?  Yes  X  No	
Has the agency promulgated all regulations required by recent legislation?	x Yes No
Provide explanations of the above responses, as needed:	
N/A. There are no existing policy statements, guidelines, or standar moratoriums and weather events being applied or enforced which should be in accordance with the Administrative Procedure Act. Likewise, the pertaining to temporary moratoriums and weather events promulgation of to COMAR 31.08.12.	e promulgated as regulations are is no recent legislation
<ul> <li>D. Actions Needed. (State Government Article, §10-135(a)(2)(ix) – (xi), Annot (check all that apply)</li> <li>X no action</li> </ul>	ated Code of Maryland)
amendment	
repeal	
repeal and adopt new regulations	
reorganization	
Summary:	
This chapter continues to be necessary for the public interest, and continues authority and judicial opinions. No amendments are recommended at this time	
Person performing review:	Lisa Larson, Esq.
Title:	Assistant Director of Regulatory Affairs