

## Article - Insurance

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§8–201.

(a) In this subtitle the following words have the meanings indicated.

(b) “Certificate of qualification” means a certificate of qualification issued by the Commissioner to act as a managing general agent.

(c) (1) “Managing general agent” means a person:

(i) that:

1. manages all or part of the insurance business of an insurer, including the management of a separate division, department, office, or subsidiary of the insurer; and

2. with or without authority, separately or with affiliates, directly or indirectly produces or underwrites gross direct written premiums at least equal to 5% of the insurer’s policyholder surplus for any quarter or year, as reported in the insurer’s most recently filed quarterly report or annual statement; and

(ii) that:

1. negotiates or binds ceding reinsurance contracts for the insurer;

2. adjusts or pays claims of more than \$500; or

3. maintains loss reserves from which claims may be paid.

(2) “Managing general agent” does not include:

(i) an employee of the insurer;

(ii) a United States manager of the United States branch of an alien insurer;

(iii) an attorney in fact authorized by and acting for the subscribers of a reciprocal insurer under a power of attorney;

(iv) an authorized insurance producer acting for a surety insurer that engages exclusively in the business of issuing bail bonds; or

(v) an underwriting manager that, by contract:

1. manages all the insurance operations of the insurer;

2. is under common control with the insurer and is subject to Title 7, Subtitle 6 of this article; and

3. is not compensated based on the volume of premiums written.

(d) “Underwrite” means to accept or reject risks for an insurer.

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