

1. SHALL ACCOUNT QUARTERLY TO THE COMPTROLLER FOR FEES COLLECTED UNDER THIS SUBSECTION; AND

2. AFTER DEDUCTING EXPENSES FOR MAILING THE PROCESS UNDER PARAGRAPH (2) OF THIS SUBSECTION, SHALL PAY THE FEES ON ACCOUNTING TO THE STATE TREASURER, FOR THE USE OF THE STATE.

(5) THE COMMISSIONER SHALL KEEP A RECORD OF ALL PROCESS SERVED ON THE COMMISSIONER UNDER THIS SUBSECTION.

(C) SERVICE OF PROCESS ON PERSON ACTING FOR INSURER.

AS AN ALTERNATIVE TO SERVICE OF PROCESS UNDER SUBSECTION (B) OF THIS SECTION, SERVICE OF PROCESS IS VALID IF:

(1) SERVICE OF PROCESS IS MADE ON ANY PERSON IN THE STATE THAT, ON BEHALF OF AN UNAUTHORIZED FOREIGN INSURER OR UNAUTHORIZED ALIEN INSURER, IS DOING AN ACT OF INSURANCE BUSINESS LISTED IN § 4-205(C) OF THIS SUBTITLE;

(2) WITHIN 10 DAYS AFTER SERVICE OF PROCESS UNDER ITEM (1) OF THIS SUBSECTION, THE PLAINTIFF OR PLAINTIFF'S ATTORNEY SENDS A COPY OF THE PROCESS BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED, BEARING A POSTMARK FROM THE UNITED STATES POSTAL SERVICE, TO THE UNAUTHORIZED INSURER AT ITS LAST KNOWN PRINCIPAL PLACE OF BUSINESS; AND

(3) ON OR BEFORE THE DATE THAT THE UNAUTHORIZED INSURER IS REQUIRED TO APPEAR OR WITHIN ANY FURTHER TIME THAT THE COURT ALLOWS, THE PLAINTIFF OR PLAINTIFF'S ATTORNEY FILES WITH THE CLERK OF THE COURT IN WHICH THE ACTION IS PENDING:

(I) THE UNAUTHORIZED INSURER'S RECEIPT, OR THE RECEIPT ISSUED BY THE UNITED STATES POSTAL SERVICE, SHOWING THE NAME OF THE SENDER OF THE LETTER AND THE NAME AND ADDRESS OF THE ADDRESSEE; AND

(II) AN AFFIDAVIT OF THE PLAINTIFF OR PLAINTIFF'S ATTORNEY SHOWING COMPLIANCE WITH ITEM (1) OF THIS SUBSECTION.

(D) JUDGMENT BY DEFAULT.

A JUDGMENT BY DEFAULT MAY NOT BE ENTERED UNTIL THE EXPIRATION OF 45 DAYS AFTER THE DATE OF FILING OF THE AFFIDAVIT OF COMPLIANCE.

(E) OTHER SERVICE NOT LIMITED.

THIS SUBTITLE DOES NOT LIMIT THE RIGHT TO SERVE ANY PROCESS, NOTICE, OR DEMAND ON AN INSURER OR ANOTHER PERSON IN ANY OTHER MANNER AUTHORIZED BY LAW.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 48A, § 205.