

1. REFUSE TO UNDERWRITE, CANCEL, REFUSE TO RENEW, OR INCREASE THE RENEWAL PREMIUM BASED, IN WHOLE OR IN PART, ON THE CREDIT HISTORY OF THE INSURED OR APPLICANT; OR

2. REQUIRE A PARTICULAR PAYMENT PLAN BASED, IN WHOLE OR IN PART, ON THE CREDIT HISTORY OF THE INSURED OR APPLICANT.

(II) 1. AN INSURER MAY, SUBJECT TO PARAGRAPHS (4) AND (5) OF THIS SUBSECTION, USE THE CREDIT HISTORY OF AN APPLICANT TO RATE A NEW POLICY OF PRIVATE PASSENGER MOTOR VEHICLE INSURANCE.

2. FOR PURPOSES OF THIS SUBSECTION, RATING INCLUDES:

A. THE PROVISION OR REMOVAL OF A DISCOUNT;

B. ASSIGNING THE APPLICANT TO A RATING TIER; OR

C. PLACING AN APPLICANT WITH AN AFFILIATED COMPANY.

(4) WITH RESPECT TO PRIVATE PASSENGER MOTOR VEHICLE INSURANCE, AN INSURER THAT RATES A NEW POLICY BASED, IN WHOLE OR IN PART, ON THE CREDIT HISTORY OF THE APPLICANT:

(I) MAY NOT USE A FACTOR ON THE CREDIT HISTORY OF THE APPLICANT THAT OCCURRED MORE THAN 5 YEARS PRIOR TO THE ISSUANCE OF THE NEW POLICY;

(II) 1. SHALL ADVISE AN APPLICANT AT THE TIME OF APPLICATION THAT CREDIT HISTORY IS USED; AND

2. SHALL, ON REQUEST OF THE APPLICANT, PROVIDE A PREMIUM QUOTATION THAT SEPARATELY IDENTIFIES THE PORTION OF THE PREMIUM ATTRIBUTABLE TO THE APPLICANT'S CREDIT HISTORY;

(III) MAY NOT USE THE FOLLOWING FACTORS IN RATING THE POLICY:

1. THE ABSENCE OF CREDIT HISTORY OR THE INABILITY TO DETERMINE THE APPLICANT'S CREDIT HISTORY; OR

2. THE NUMBER OF CREDIT INQUIRIES ABOUT AN APPLICANT'S CREDIT HISTORY;

(IV) 1. SHALL REVIEW THE CREDIT HISTORY OF AN INSURED WHO WAS ADVERSELY IMPACTED BY THE USE OF THE INSURED'S CREDIT HISTORY AT THE INITIAL RATING OF THE POLICY:

A. EVERY 2 YEARS; OR

B. ON REQUEST OF THE INSURED; AND

2. SHALL ADJUST THE PREMIUM OF AN INSURED WHOSE CREDIT HISTORY WAS REVIEWED UNDER THIS SUBPARAGRAPH TO REFLECT ANY IMPROVEMENT IN THE INSURED'S CREDIT HISTORY; OR