

**ALABAMA DEPARTMENT OF INSURANCE
INSURANCE REGULATION**

CHAPTER 482-1-110

**RENEWAL OF LICENSE AND CONTINUING EDUCATION
FOR PRODUCERS AND SERVICE REPRESENTATIVES**

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482-1-110-.01 Authority. This chapter is adopted pursuant to Ala. Code §§ 27-2-17, 27-2-17.1, 27-7-43, and 27-8A-1, et seq. (1975).

Author: Commissioner of Insurance

Statutory Authority: Ala. Code §§ 27-2-17, 27-2-17.1, 27-7-43 & 27-8A-1, et seq. (1975)

History: New September 15, 1994, Effective October 1, 1994; Revised August 19, 2002, Effective August 29, 2002; Revised November 29, 2006, Effective December 9, 2006; Revised October 18, 2012, Effective October 28, 2012

482-1-110-.02 Purposes. The purposes of this chapter are as follows:

(a) To set forth the procedures for the renewal of licenses of producers and service representatives, hereinafter sometimes referred to generally as "insurance representatives" or "licensees", as is required by Subsection (c) of Ala. Code § 27-7-14 (1975).

(b) To implement the continuing education requirements for producers and service representatives set forth in Ala. Code §§ 27-8A-1 through 27-8A-13 (1975).

Author: Commissioner of Insurance

Statutory Authority: Ala. Code §§ 27-2-17, 27-2-17.1, 27-7-43 & 27-8A-1, et seq. (1975)

History: New September 15, 1994, Effective October 1, 1994; Revised September 23, 1996, Effective October 3, 1996; Revised August 19, 2002, Effective August 29, 2002; Revised November 29, 2006, Effective December 9, 2006; Revised October 18, 2012, Effective October 28, 2012

482-1-110-.03 Scope.

(1) As to the renewal of licenses, this chapter shall apply to every person licensed in this state as a producer or service representative for any line of authority.

(2) In order to qualify for the renewal of their licenses, producers and service representatives licensed for the following lines of authority must comply with the educational requirements set forth in Rule 482-1-110-.05:

(a) The life lines of authority, as defined in Ala. Code § 27-7-1.

(b) The property lines of authority, as defined in Ala. Code § 27-7-1.

(c) Bail Bonds.

(d) Any combination thereof.

(3) Notwithstanding the provisions of Paragraph (2), the educational requirements set forth in Rule 482-1-110-.05 shall not apply to:

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(a) Any person exempt from licensing pursuant to Subsection (b) of Ala. Code § 27-3-27 (1975).

(b) Any producer whose license is limited to acting only as a producer for credit insurance, rental vehicle insurance, crop, portable electronic, travel, motor club, dental services, and legal services, or any combination thereof.

(c) Any nonresident producer or service representative who must complete the continuing education requirements in his or her state of residence. The home state's requirements may be used to meet this state's continuing education requirements if that state recognizes reciprocity with Alabama's continuing education requirements. A non-resident whose home state does not have a continuing education requirement or whose home state does not recognize reciprocity with Alabama's continuing education requirements, must meet the continuing education requirements of this state.

(d) Newly licensed producers and service representatives for 12 months following the effective date of their license.

(e) Any individual exempt from the educational requirements of Ala. Code § 27-8A-1 immediately prior to January 1, 2013, so long as the individual remains exempt according to the law at that time, unless the license is permitted to expire or is otherwise terminated and remains out of effect for a period of 12 consecutive months, in which case the exemption is no longer applicable. To maintain an exemption from continuing education requirements, the individual must submit a statement and dated evidence that the exemption claimed applied prior to January 1, 2013, and continues in effect at the time of license renewal. Any change in the claimed exemption, such as loss of certification or position shall result in loss of the claimed exemption for subsequent renewal periods. Individuals may claim an exemption if any of the following apply subject to the terms outlined above:

1. Any person licensed only for limited lines insurance, industrial fire, commonly known as debit fire, insurance, or any combination thereof prior to January 1, 2013.

2. All producers and service representatives licensed in this state for 15 years and at least 60 years of age or older prior to January 1, 2013.

3. Any person who holds a designation as a Chartered Property and Casualty Underwriter, Certified Insurance Counselor, Chartered Life Underwriter, Chartered Financial Consultant, Certified Financial Planner certificant, Registered Health Underwriter, Registered Employee Benefits Consultant, Certified Health Consultant, or Associate Risk Manager prior to January 1, 2013.

4. Officers of insurers who are not engaged in the active sale of products prior to January 1, 2013.

5. Persons who are active members of the Alabama legislature during any portion of the biennial reporting period prior to January 1, 2013.

Author: Commissioner of Insurance

Statutory Authority: Ala. Code §§ 27-2-17, 27-2-17.1, 27-7-43 & 27-8A-1, et seq. (1975)

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History: New September 15, 1994, Effective October 1, 1994; Revised September 23, 1996, Effective October 3, 1996; Revised December 16, 1998, Effective January 1, 1999; Revised August 19, 2002, Effective August 29, 2002; Revised November 29, 2006, Effective December 9, 2006; Revised October 18, 2012, Effective October 28, 2012; Revised July 21, 2016, Effective July 31, 2016

482-1-110-.04 Renewal of Licenses.

(1) All producers and service representatives licensed in the State of Alabama are required to complete an application for license renewal with the Department, which shall include the payment of the applicable fees, as set forth below:

(a) For individual producers and service representatives, the biennial license renewal fee as required by Ala. Code § 27-8A-9(a)(1) \$70.00

(b) For business entity producers, the biennial renewal license fee as required by Ala. Code § 27-4-2(a)(5)b.2. \$100.00

(2)(a)1. All individual producers and service representatives shall renew their license biennially based on their month and year of birth as indicated in subparagraphs 2 and 3, except an initial individual license shall not expire within the first seventy-five (75) days of its effective date but will continue until the next biennial expiration date.

2. Licensees Born in Odd-numbered Years. The license of an insurance representative born in an odd-numbered year will expire if not renewed at the end of the licensee's birth month in every odd-numbered year.

3. Licensees Born in Even-numbered Years. The license of an insurance representative born in an even-numbered year will expire if not renewed at the end of the licensee's birth month in every even-numbered year.

(b) Notice is hereby given that beginning approximately seventy-five (75) days prior to license expiration, individual licensees can access the Department's Web site for the purpose of completing their application for license renewal.

(c) All individual licensees shall complete an application for license renewal on the Department's Web site by the license expiration date, to include payment of the applicable fee as set forth in Paragraph (1). Any license not renewed by the license expiration date may still be renewed during the first 30 days following expiration, with reinstatement retroactive to the expiration date, but will be subject to a \$50 late fee.

(3)(a) Expiration of Business Entity Producer Licenses. All business entity producer licenses shall expire if not renewed on December 31 of every even-numbered year, except an initial business entity license issued on or after October 15 of an even-numbered year shall not expire until December 31 of the next even-numbered year.

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(b) Notice is hereby given that beginning on October 15 next preceding license expiration, business entity producers can access the Department's Web site for the purpose of completing their application for license renewal.

(c) All business entity producers shall complete an application for license renewal on the Department's Web site prior to license expiration, to include payment of the applicable fee as set forth in Paragraph (1). Any license not renewed by the license expiration date may still be renewed during the first 30 days following expiration, with reinstatement retroactive to the expiration date, but will be subject to a \$50 late fee.

Author: Commissioner of Insurance

Statutory Authority: Ala. Code §§ 27-2-17, 27-2-17.1, 27-7-43 & 27-8A-1, et seq. (1975)

History: New September 15, 1994, Effective October 1, 1994; Revised September 23, 1996, Effective October 3, 1996; Revised December 16, 1998, Effective January 1, 1999; Revised August 19, 2002, Effective August 29, 2002; Revised November 29, 2006, Effective December 9, 2006; Revised December 11, 2007, Effective December 21, 2007; Revised October 18, 2012, Effective October 28, 2012; Revised August 12, 2015, Effective January 1, 2016

482-1-110-.05 Educational Requirements.

(1)(a) Licensees Born in Odd-numbered Years, Renewal in 2009 and thereafter. Along with the renewal of license due to be completed in accordance with Paragraph (2) of Rule 482-1-110-.04 in the year 2009 and in every other year thereafter, every insurance representative born in an odd-numbered year and licensed in this state as a producer or service representative for the lines of insurance listed in Paragraph (2) of Rule 482-1-110-.03, and not exempt under Paragraph (3) of Rule 482-1-110-.03, shall satisfactorily complete such courses or programs of instruction as may be approved in accordance with this chapter in the minimum number of 24 classroom hours, 3 hours of which shall be on the topic of insurance producer ethics.

(b) Licensees Born in Even-numbered Years, Renewal in 2010 and thereafter. Along with the renewal of license due to be completed in accordance with Paragraph (2) of Rule 482-1-110-.04 in the year 2010 and in every other year thereafter, every insurance representative born in an even-numbered year and licensed in this state as a producer or service representative for the lines of insurance listed in Paragraph (2) of Rule 482-1-110-.03, and not exempt under Paragraph (3) of Rule 482-1-110-.03, shall satisfactorily complete such courses or programs of instruction as may be approved in accordance with this chapter in the minimum number of 24 classroom hours, 3 hours of which shall be on the topic of insurance producer ethics.

(2) A person teaching any approved course of instruction or lecturing at any approved seminar or program shall qualify for the same number of classroom hours as would be granted to a person taking and successfully completing such course, seminar or program.

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(3) No producer or service representative may receive credit for any approved course more than once in any reporting period.

(4) Producers and service representatives who have been licensed for less than twelve months at the time of their first renewal are not required to complete the educational requirements of this rule.

(5) In lieu of the number of classroom hours required in Paragraph (1), any producer or service representative employed by another producer or by an insurer to work only in the office of the employer and who is not licensed as a nonresident in any other state shall satisfactorily complete a minimum of 12 classroom hours of approved courses, of which two hours shall be on the topic of insurance producer ethics.

(6) For the purposes of this chapter, “classroom hour” shall mean a unit of at least fifty (50) minutes of participation in an approved course. This unit of measure shall apply to any classroom course, correspondence course, internet course, or other program and/or seminar of instruction approved by the Commissioner. Not more than ten (10) minutes of any sixty (60) minute period may be used for breaks, roll-taking, or administrative instructions. The total classroom hours, sometimes also referred to as “credit hours,” for an approved course will be assigned by the Department in the course approval process.

Author: Commissioner of Insurance

Statutory Authority: Ala. Code §§ 27-2-17, 27-2-17.1, 27-7-43 & 27-8A-1, et seq. (1975)

History: New September 15, 1994, Effective October 1, 1994; Revised September 23, 1996, Effective October 3, 1996; Revised August 19, 2002, Effective August 29, 2002; Revised November 29, 2006, Effective December 9, 2006; Revised October 18, 2012, Effective October 28, 2012; Revised November 10, 2016, Effective November 20, 2016

482-1-110-.06 Education Provider Requirements.

(1) The Commissioner shall, with the advice of the Continuing Education Advisory Committee, approve and authorize providers of continuing education courses and programs, and will designate any such course as being acceptable for the purposes of this chapter. Each such authority holder must apply annually for the continued authority to offer continuing education courses in this state.

(2) The courses or programs of instruction successfully completed which shall be deemed to meet the Commissioner's standards for continuing educational requirements and the number of classroom hours for which they are equivalent are:

(a) Any course or program of instruction or seminar developed and/or sponsored by any school, college, university, bona fide educational school, authorized insurer, recognized state insurance producers association, or insurance trade association shall, subject to the approval of the Commissioner, qualify for the equivalency of the number of classroom hours assigned thereto by the Commissioner.

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(b) Any correspondence or internet course approved by the Commissioner shall qualify for the equivalency of the number of classroom hours assigned thereto by the Commissioner, provided said course has been authorized, developed, or sanctioned by a school, college, university, bona fide educational school, authorized insurer, recognized state insurance producers association or insurance trade association. To be approved, a correspondence or internet course must include an appropriate testing instrument requiring a grade of 70 percent to successfully complete the course. The examination must be administered by a third party proctor, who must sign an affidavit attesting to the fact that the student received no outside assistance in the completion of the final examination. The proctor cannot be a friend, relative, or co-worker of the licensee, nor anyone with a financial interest in the success of the licensee taking the examination.

(3) The commissioner shall not approve a course under this chapter:

(a) That is designed to prepare an individual to receive an initial license under Chapter 7 of the Insurance Code.

(b) Which deals only with office skills.

(c) Which concerns sales promotion and sales techniques.

(d) Which deals with motivation, psychology or time management.

(e) Every authorized provider of continuing education courses in this state shall, in the format approved by the Commissioner, file a record of all licensees successfully completing each course or program within ten (10) days of the date said course or program is completed. In the case of a correspondence or internet course, this record shall be filed within ten (10) days of the date the provider assigns a grade to the final examination required in subparagraph (2)(b).

(5) At the time of filing its original application for authority as a continuing education course provider, each provider shall pay a filing fee of \$360.00. Each year thereafter, every provider shall pay a renewal fee for the continuation of the authority to offer continuing education courses in this state of \$120.00. This renewal fee shall be paid each year during the renewal period of October 1 to December 31. If the renewal application and fee are not received by December 31, the provider approval and all courses approved for that provider will expire. Any fees paid by a provider prior to April 23, 1996, the effective date of Act 96-343, for qualification to become a course provider shall be applied as credits against the provider fees set forth in this chapter.

(6) At the time of filing for course approval, providers shall pay a course approval filing fee of \$60.00 for each education course or program to be offered in this state. Once approved, no additional filing shall be required for a particular course or program unless the course materially changes. Please note that should the provider authority expire as indicated above, all courses approved for that provider will also expire. Should the provider again become authorized, all courses must be submitted for approval and the course approval fee indicated above must be paid for each such course.

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Author: Commissioner of Insurance

Statutory Authority: Ala. Code §§ 27-2-17, 27-2-17.1, 27-7-43 & 27-8A-1, et seq. (1975), & Ala. Act No. 2015-441

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482-1-110-.07 Compliance.

(1) Every producer and service representative subject to this chapter shall complete an application for license renewal in accordance with Rule 482-1-110-.04.

(a) The license of any individual producer or service representative failing to complete the application for license renewal within the time specified in Paragraph (2) of Rule 482-1-110-.04 will expire but there is a 30-day grace period following the expiration during which time the licensee can renew with payment of the late fee plus the renewal fee. If the individual producer or service representative shall complete the application for license renewal prior to the end of said 30-day grace period, along with the payment of the applicable fees, the license will not expire.

(b) Any business entity producer failing to file the application for license renewal form with the Department within the time specified in Paragraph (c) of Rule 482-1-110-.04 can still renew the license with payment of the late fee plus the renewal fee. The license of any business entity producer not renewed by December 31 of the renewal year shall be deemed to have expired at midnight on December 31 of that year.

(2) Any licensee completing an application for license renewal in accordance with Paragraph (1) above but failing to meet the educational requirements imposed by this chapter within the times set forth in this chapter shall, after a hearing thereon, which hearing may be waived by the licensee, be subjected to the suspension of all licenses issued for any kind or kinds of insurance, and no further license shall be issued to the licensee for any kind or kinds of insurance until the licensee shall have complied with the educational requirements of this chapter.

(3) If the licensee has complied with the educational requirements of Rule 482-1-110-.05 and has otherwise complied with this chapter, his or her license will be renewed.

(4) Upon a showing of good cause, the Commissioner may grant an extension of up to three months for complying with the educational requirements of this chapter. The request for such extension shall be indicated upon the application for renewal form filed in accordance with Rule 482-1-110-.04 and shall be deemed granted if not denied by the Commissioner within thirty days. The license shall remain in effect until the Commissioner makes a decision on the request. If the request is denied, the licensee shall have thirty days from notice of the denial to complete the educational requirements of this chapter.

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(5)(a) The Commissioner may grant an extension for complying with the educational requirements of this chapter of more than three months upon a showing that the licensee is unable to perform the normal duties of an insurance producer or service representative and should be temporarily excused from attending continuing education courses or programs. The request for such extension shall be indicated upon the application for renewal completed in accordance with Rule 482-1-110-.04.

(b) If the request is for medical reasons, a statement by the attending physician shall be mailed to the department within ten (10) days of completing the application, indicating that the licensee is, in the physician's opinion, unable to perform the normal duties of an insurance producer or service representative due to a medical disability and should be temporarily excused from attending continuing education courses or programs. If the request is for reason of call to active duty in the armed forces, military assignment forms shall be mailed to the department within ten (10) days of completing the application. Requests based on any other reason will be handled on a case by case basis.

(c) Producers and service representatives who are granted an extension pursuant to this paragraph shall not be allowed to receive any additional company appointments until they have complied with the educational requirements of this chapter. The only exception to this is in the case of one company merging with another and all producers appointed with one company are to be appointed with the other.

(6) The Commissioner may, after notice and hearing as provided in Ala. Code § 27-7-20 (1975), which hearing may be waived by the licensee, suspend or revoke the license of any producer or service representative who does any of the following:

(a) Submits to the Commissioner a false or fraudulent application for renewal of license, as a violation of Ala. Code § 27-7-19(a)(2) (1975).

(b) Submits to the Commissioner a false or fraudulent certificate of compliance with the educational requirements of this chapter, as a violation of Ala. Code § 27-8A-2 (1975).

(c) Otherwise files a false statement required by Chapter 8A of the Insurance Code in accordance with this chapter, with knowledge of the falsity of the statement, as a violation of Ala. Code § 27-8A-8 (1975).

(7) Any action taken pursuant to Paragraph (6) subjects the licensee to the suspension or revocation of all licenses issued to the licensee for any kind or kinds of insurance, and no further license shall be issued to the licensee for any kind or kinds of insurance until the licensee shall have complied with the educational requirements of this chapter.

Author: Commissioner of Insurance

Statutory Authority: Ala. Code §§ 27-2-17, 27-2-17.1, 27-7-43 & 27-8A-1, et seq. (1975)

History: New September 15, 1994, Effective October 1, 1994; Revised September 23, 1996, Effective October 3, 1996; Revised December 16, 1998, Effective January 1, 1999; Revised August 19, 2002, Effective August 29, 2002; Revised November 29, 2006, Effective December 9, 2006; Revised October 18, 2012, Effective October 28, 2012

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482-1-110-.08 Severability Clause. If any provision of this chapter, or the application thereof to any person or circumstance, is held invalid, such determination shall not affect other provisions or applications of this chapter which can be given effect without the invalid provision or application, and to that end the provisions of this chapter are severable.

Author: Commissioner of Insurance

Statutory Authority: Ala. Code §§ 27-2-17, 27-2-17.1, 27-7-43 & 27-8A-1, et seq. (1975)

History: New September 15, 1994, Effective October 1, 1994; Revised September 23, 1996, Effective October 3, 1996; Revised August 19, 2002, Effective August 29, 2002; Revised November 29, 2006, Effective December 9, 2006

482-1-110-.09 Effective Date. This chapter shall become effective upon its approval by the Commissioner of Insurance, and upon its having been on file as a public document in the office of the Secretary of State for ten days.

Author: Commissioner of Insurance

Statutory Authority: Ala. Code §§ 27-2-17, 27-2-17.1, 27-7-43 & 27-8A-1, et seq. (1975)

History: New September 15, 1994, Effective October 1, 1994; Revised September 23, 1996, Effective October 3, 1996; Revised December 16, 1998, Effective January 1, 1999; Revised August 19, 2002, Effective August 29, 2002; Revised November 29, 2006, Effective December 9, 2006