

**PROPOSED REGULATION OF THE  
COMMISSIONER OF INSURANCE**

**LCB File No. R153-24**

February 27, 2026

EXPLANATION – Matter in *italics* is new; matter in brackets ~~omitted material~~ is material to be omitted.

AUTHORITY: §§ 1-5, NRS 679B.130 and 690C.300.

A REGULATION relating to service contracts; establishing requirements for the issuance or renewal of a certificate of registration for a provider to issue, sell or offer for sale service contracts; adopting requirements for the use of a fictitious name by a provider; requiring a provider to maintain a principal office or location at which records must be kept; requiring a provider to notify the Commissioner of Insurance of certain changes; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

Existing law provides for the regulation of service contracts, which are defined as contracts issued, sold or offered for sale to residents of this State under which the provider of the service contract receives consideration in exchange for undertaking an obligation for a specified period to repair, replace or perform maintenance on, or indemnify or reimburse the costs of repairing, replacing or performing maintenance on, certain goods. (Chapter 690C of NRS) Under existing law, a provider that issues, sells or offers for sale service contracts in this State is required to obtain a certificate of registration from the Commissioner of Insurance. (NRS 690C.150, 690C.160) Existing law authorizes the Commissioner to adopt such regulations as are necessary to carry out the provisions of existing law governing service contracts. (NRS 690C.300)

Under existing law, to obtain a certificate of registration to issue, sell or offer for sale service contracts, a provider is required to submit an application for the certificate of registration to the Commissioner and satisfy certain other requirements. (NRS 690C.160) **Section 2** of this regulation: (1) provides that within 21 days after an applicant submits an incomplete application for a certificate of registration, the Commissioner will notify the applicant of any additional information necessary for the Commissioner to consider the application; (2) provides that within 60 days after receiving a complete application, the Commissioner will approve the application and issue the certificate of registration unless the Commissioner determines that grounds exist to deny the application; and (3) establishes the grounds upon which the Commissioner may deny an application for a certificate of registration.

Under existing law, a certificate of registration expires 2 years after the date on which the Commissioner issues the certificate of registration. Existing law authorizes a provider who holds a certificate of registration to renew its certificate of registration by submitting to the

Commissioner, not later than 60 days before the expiration of the certificate of registration, a renewal application, certain fees and the information required by existing law to renew the certificate of registration. (NRS 690C.160) Under existing law, the Commissioner is authorized to impose a civil penalty of not more than \$500 for a violation of any provision of existing law governing service contracts. (NRS 690C.330) **Section 3** of this regulation: (1) establishes the time at which a certificate of registration will expire unless it is renewed; (2) provides that the certificate of registration will expire at that time unless the holder of the certificate of registration submits all fees and information required for the renewal before the time at which the certificate of registration expires; and (3) authorizes the Commissioner to approve a late renewal of the certificate of registration if, within 6 months after the expiration of the certificate of registration, the holder submits to the Commissioner all information and fees required for the renewal and pays a penalty of \$500.

**Section 4** of this regulation establishes requirements for an applicant for a certificate of registration or a provider to use a fictitious name. Under **section 4**, such an applicant or provider is required to submit a request to the Commissioner for approval of each fictitious name under which the applicant or provider intends to conduct business and file with the Commissioner a copy of the certificate required by chapter 602 of NRS to be filed with the county clerk to authorize the use of a fictitious name in the conduct of a business. **Section 4** additionally requires the applicant or provider to file promptly with the Commissioner written notice of any change in or discontinuance of the use of a fictitious name. Finally, **section 4** provides that the Commissioner will not approve the use of a fictitious name that is the same as or confusingly similar to the name of another provider.

Existing law: (1) requires a provider to maintain certain records concerning service contracts issued by the provider; and (2) authorizes a provider to maintain those records by having the records on a computer disc or other storage device for a computer from which the records can be readily printed. (NRS 690C.310) Existing law also: (1) authorizes the Commissioner to conduct an examination of a provider at such times as the Commissioner deems necessary to enforce existing law governing service contracts; and (2) requires a provider, upon the request of the Commissioner, to make available to the Commissioner for inspection certain records concerning service contracts which are reasonably necessary to enable the Commissioner to determine whether the provider is in compliance with existing law governing service contracts. (NRS 690C.320) **Section 5** of this regulation requires a provider to maintain a principal office or location, which must be a physical address and may not be the address of a mail processing business or post office box, and maintain certain information and records at that principal office or location. **Section 5** additionally: (1) requires an applicant for a certificate of registration or a provider to inform the Commissioner of any change of its business address, the address of a controlling person or the electronic mail address of the applicant or provider; (2) authorizes the Commissioner to refuse to issue or revoke, without a hearing, a certificate of registration if the Commissioner is unable to locate the applicant or provider after diligent effort. Under **section 5**, the Commissioner is deemed to have made a diligent effort to locate the applicant or provider, and the applicant or provider is deemed to waive any right to a hearing, if a letter is mailed by certified mail, return receipt requested, addressed to the applicant or provider at the last mailing address appearing on the records of the Division of Insurance of the Department of Business and Industry.

**Section 1.** Chapter 690C of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 5, inclusive, of this regulation.

**Sec. 2. 1.** *Not later than 21 days after receiving an application for the issuance of a certificate of registration to issue, sell or offer for sale service contracts, the Commissioner will provide written notice to the applicant of any additional information required by the Commissioner to consider the application. Unless the Commissioner denies the application pursuant to subsection 2, the Commissioner will approve the application and issue a certificate of registration not later than 60 days after receiving the complete application.*

**2.** *The Commissioner may deny an application for the issuance of a certificate of registration if the Commissioner determines that the applicant or any of its controlling persons:*

- (a) Has failed to comply with the requirements of NRS 690C.170;*
- (b) Has been convicted of a crime that would be grounds for taking disciplinary action against the applicant and the Commissioner has not previously taken disciplinary action against the applicant based on that conviction;*
- (c) Has been determined in any administrative or judicial proceeding to have violated any statute, rule, regulation or order pertaining to service contracts;*
- (d) Has been convicted of any crime involving fraud, deceit, misrepresentation or moral turpitude;*
- (e) Has had a license, certificate of registration or any other authorization to issue, sell or offer to sell service contracts denied for cause, suspended or revoked in this State or any other state;*
- (f) Is not competent to act as a service contract provider;*

- (g) Is not trustworthy or financially responsible;*
- (h) Does not have good personal or business reputation; or*
- (i) Is financially unsound.*

**Sec. 3. 1.** *Unless it is renewed, a certificate of registration expires at 12 a.m. on the date after the date that is 2 years after the date it was last issued or renewed. The Commissioner will not renew a certificate unless all fees, assessments and fines owed by the provider to the Commissioner or Division are paid.*

*2. If a provider fails to submit any item required by subsection 4 of NRS 690C.160 before expiration, the renewal application will be deemed incomplete and the certificate of registration will expire unless all information necessary to renew the certificate of registration is submitted before expiration.*

*3. The Commissioner may approve the late renewal of a certificate of registration within 6 months after its expiration if the provider submits to the Commissioner:*

- (a) A renewal application that complies with the requirements of subsection 4 of NRS 690C.160, including any applicable fees; and*
- (b) A penalty for late renewal in the amount of \$500.*

**Sec. 4. 1.** *An applicant for a certificate of registration or provider who desires to use a fictitious name must:*

- (a) Submit a request to the Commissioner for approval of the name; and*
- (b) File with the Commissioner a certified copy of the certificate or any renewal certificate filed pursuant to chapter 602 of NRS.*

2. *An incorporated applicant or provider shall file with the Commissioner a document showing the true name of the corporation and all fictitious names under which the corporation conducts or intends to conduct business.*

3. *A provider shall file promptly with the Commissioner a written notice of any change in or discontinuance of the use of a fictitious name.*

4. *A provider may conduct business using more than one fictitious name only if the provider complies with the requirements of subsection 1 for each fictitious name under which the applicant or provider intends to do business.*

5. *A provider who conducts business in this State using more than one fictitious name is responsible for the conduct of each person employed or otherwise associated with the provider regardless of the fictitious name under which the conduct takes place.*

6. *The Commissioner will not issue a certificate of registration with a fictitious name that is the same as or confusingly similar to the name of another provider.*

7. *A provider shall not conduct business using a fictitious name other than a fictitious name approved by the Commissioner and indicated on the certificate of registration issued by the Commissioner to the provider.*

**Sec. 5.** 1. *A provider shall maintain a principal office or location, which must be a physical address and may not be the address of a mail processing business or post office box.*

2. *The provider shall keep and maintain at all times at the principal office or location:*

(a) *Complete and suitable records of all transactions of the provider, including, without limitation:*

(1) *Each contract entered into between the provider and a holder;*

(2) *All disclosures provided to a holder;*

- (3) Each authorization signed by a holder;*
- (4) All worksheets;*
- (5) All service request items;*
- (6) Any correspondence between the provider and holder, including, without limitation, any correspondence transmitted by:
  - (I) Mail;*
  - (II) Electronic mail; or*
  - (III) Facsimile transmission;**
- (7) Logs of telephone calls or other contacts or information;*
- (8) A copy of each item of advertising material that was published or distributed by or on behalf of the provider in the format in which the material was published or distributed;*
- (9) A copy of any complaint against the provider, together with all correspondence, notes, responses and other documentation relating to the disposition of the complaint; and*
- (10) Any other documentation used by the provider in the normal course of business as it relates to service contracts.*

*(b) All original books, papers and data, or copies of thereof, clearly reflecting the financial condition of the business of the provider.*

*3. An applicant or provider shall inform the Commissioner of each change of its business address, the address of a controlling person or the electronic mail address of the applicant or provider, in writing or by other means acceptable to the Commissioner, within 30 days after the change. If an applicant or provider does not inform the Commissioner of a change of its business address, the address of a controlling person or the electronic mail address of the applicant or provider and the Commissioner is unable to locate the applicant or provider after*

*diligent effort, the Commissioner may refuse to issue or renew or may revoke the certificate of registration without a hearing. The mailing of a letter by certified mail, return receipt requested, addressed to the applicant or provider at the last mailing address appearing on records of the Division, and the return of the letter undelivered, constitutes a diligent effort by the Commissioner to locate the applicant or provider, and waiver by the applicant or provider of the hearing required by NRS 690C.325.*