

**PROPOSED REGULATION OF THE
COMMISSIONER OF INSURANCE**

LCB FILE NO. R121-18I

**The following document is the initial draft regulation proposed
by the agency submitted on 05/22/2018**

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LCB File No. R____ - ____

May 23, 2018

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

AUTHORITY: NRS 679B.130; 683A.241 692A.100; 692A.103; 695J.110

A REGULATION relating to insurance, amending the required passing score for examination for specific licensees, providing for prelicensing education attestation, clarifying the renewal process for title agents and other matters related thereto.

Section 1. Chapter 683A of NRS is hereby amended by adding thereto the provisions set forth as section 1 of this regulation:

“Passing score” means the minimum score an applicant must achieve in order to pass the exam and represents the minimum level of knowledge an applicant must possess.

Sec. 2. NAC 683A.180 is hereby amended to read as follows:

Course of instruction required; passing grade. (NRS 679B.130) In addition to the requirements of chapter 683A of NRS, an applicant for a license to act as a producer of insurance or an insurance consultant for:

1. Life insurance, including annuities;
2. Accident and health insurance;
3. Property insurance;
4. Casualty insurance;
5. Personal lines; or
6. Any combination of those types of insurance,

must ~~[complete, with a final grade of at least 70 percent,]~~ , *at the time of examination, attest to having completed* a course of instruction approved by the Commissioner for the line of insurance for which he or she is applying for a license. The course must have been completed within the 2 years immediately preceding the date of the application for the license.

Sec. 3. NAC 683A.270 is hereby amended to read as follows:

Required score on examination. (NRS 679B.130, 683A.241, 683C.030) An applicant for a license as a producer of insurance or an insurance consultant who is required to complete an examination for licensure must attain ~~[an-adjusted]~~ *a passing* score of ~~[80]~~ *70* or more ~~[points]~~ on the appropriate licensing examination to pass the examination. The examination must have been successfully completed within the ~~[2-years]~~ *1 year* immediately preceding the date of application for the license.

Sec. 4. Chapter 692A of NAC is hereby amended by adding thereto a new section to read as follows:

- 1. A license as a title agent issued pursuant to chapter 692A of NRS continues in force for 2 years unless it is suspended, revoked or otherwise terminated. The license may be renewed upon submission of the statement required pursuant to NRS 692A.1033 and payment of all applicable fees for renewal to the Commissioner on or before the last day of the month in which the license is renewable.*
- 2. A license which is not renewed expires at midnight on or before the last day of the licensee's birth month, or for business entities, the last day of the month in which the license was issued. The Commissioner may accept a request for renewal received by the Commissioner within 30 days after the expiration of the license if the request is accompanied*

by the statement required pursuant to NRS 692A.1033 and a fee for renewal of 150 percent of all applicable fees otherwise required, except for any fee required pursuant to NRS 680C.110.

Sec. 5. NAC 692A.055 is hereby amended to read as follows:

Licensing of title agents: Required experience; proof of experience. (NRS 679B.130, 692A.090, 692A.100)

1. A person who wishes to obtain a license as a title agent must have:

- (a) At least 1 year of recent experience relating to title insurance of a nature sufficient to allow the person to fulfill the responsibilities of a title agent~~[-]~~; *or,*
- (b) *Successfully pass an exam on the subject of title insurance with a passing score of at least 70 within the 1 year immediately preceding the date of application for the license.*

2. Except as otherwise provided in subsection 3, an applicant for a license as a title agent must submit to the Commissioner proof of the experience required by this section in the form of a statement from each employer with whom the applicant claims to have obtained the experience. Each statement must be signed and attested to by the employer and include:

- (a) The name and address of the employer;
- (b) The name and title of the immediate supervisor of the applicant, if any;
- (c) A description of the duties and responsibilities of the applicant during his or her employment and their relation to title insurance;
- (d) The period during which the applicant fulfilled those duties and responsibilities; and
- (e) The reason the applicant left the employment of his or her employer.

3. An applicant may submit any other form of proof of his or her experience that is satisfactory to the Commissioner.

Sec. 6. NAC 692A.060 is hereby amended to read as follows:

Licensing of escrow officers: Proof of experience. (NRS 679B.130, 692A.090, 692A.103)

1. Except as otherwise provided in ~~subsection 2~~ subsections 2 and 3, a person applying for a license as an escrow officer must submit to the Commissioner proof of the experience required by NRS 692A.103 in the form of a statement from each person who employed him or her within the 2 years immediately preceding the date of the application and from whom the person applying for the escrow officer's license claims to have obtained such experience. Each statement must be signed and attested to by the employer and must include:

- (a) The name and address of the employer of the person applying for the license;
- (b) The name and title of the immediate supervisor of that person, if any;
- (c) A description of the duties and responsibilities of that person while so employed and their relation to escrow;
- (d) The period during which that person fulfilled those duties and responsibilities; and
- (e) The reason that person left the employment of his or her employer.

2. An applicant may submit any other form of proof of his or her experience that is satisfactory to the Commissioner.

3. An applicant may submit proof of the successful completion of an exam on the subject of escrow with a passing score of at least 70 within the 1 year immediately preceding the date of application for the license.

Sec. 7. Chapter 695A of NAC (Brokers section) is hereby amended by adding thereto a new section to read as follows:

An applicant for a license as a Surplus Lines Broker must attain a passing score of 70 or more on the appropriate licensing examination to pass the examination. The examination must have

been successfully completed within 1 year immediately preceding the date of application for the license.

Sec. 8. NAC 695J.100 is hereby amended to read as follows:

Requirements for completion of precertification course of instruction. (NRS 679B.130, 695J.270) In addition to the requirements of chapter 695J of NRS, an applicant for a certificate as an exchange enrollment facilitator must ~~[complete, with a final grade of at least 70 percent,]~~ , *at the time of examination, attest to having completed* a precertification course of instruction approved by the Commissioner. The precertification course must have been completed within 1 year immediately preceding the date of the application for the certificate.

Sec. 9. NAC 695J.210 is hereby amended to read as follows:

NAC 695J.210 Examination: Required score. (NRS 679B.130, 695J.270) An applicant for a certificate as an exchange enrollment facilitator must attain ~~[an adjusted]~~ *a passing* score of ~~[80]~~ *70* or more ~~[points]~~ on the appropriate certification examination to pass the examination. The examination must have been successfully completed within 1 year immediately preceding the date of application for the certificate.