

**ADOPTED REGULATION OF THE
COMMISSIONER OF INSURANCE**

LCB File No. R109-10

Effective September 14, 2012

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

AUTHORITY: §1, NRS 679B.130, 697.130 and 697.360.

A REGULATION relating to bail bond agents; revising the reference to the form for furnishing certain information concerning employees to the Commissioner of Insurance; and providing other matters properly relating thereto.

Section 1. NAC 697.330 is hereby amended to read as follows:

697.330 Each bail bond agent shall furnish the following information concerning every person in his employ, including independent contractors, clerical workers, skip tracers and special agents for the purpose of surrender, as long as the persons are employed for an aggregate period of 30 days or more during any 1-year period:

1. Name;
2. Address, length of time at that address, and previous addresses for 2 years preceding the date of application;
3. Business and residence telephone numbers;
4. Age, date of birth, place of birth and social security number; and
5. Current and previous occupations for 2 years preceding the date of the application.

↪ The requirements of this section may be met by completing ~~questions 1, 2, 3, 8 and 9 of Form ID6-B, Agent Application Form,~~ *Form ID6-BE, Bail Employee Notification Form*, which will

be provided by the Commissioner. The provisions of this section apply only to those persons employed within the State of Nevada.

NRS 233B.066
INFORMATIONAL STATEMENT

Re: Proposed Regulation Concerning Bail Agent Forms
LCB File No. R109-10, Division's Cause No. 10.0367

A workshop was held on August 1, 2012, and a hearing was held on August 10, 2012, at the hearing room of the Department of Business and Industry, Division of Insurance ("Division"), located at 1818 East College Parkway, Suite 103, Carson City, Nevada 89706, with a simultaneous videoconference conducted at the Bradley Building, 2501 E. Sahara Avenue, Las Vegas, Nevada 89104, in regard to adoption of the regulation concerning bail agent forms.

Public comment was solicited by posting notices of the workshop and hearing in the following public locations: the Division's Web site, the Division's Carson City and Las Vegas offices, Carson City Courthouse, Office of the Attorney General, Capitol Building Lobby, Capitol Building Press Room, Blasdel Building, and Legislative Counsel Bureau; and by providing the notices of the workshop and hearing to: the Donald W. Reynolds Press Center, Nevada State Library, Carson City Library, Churchill County Library, Clark County District Library, Douglas County Library, Elko County Library, Esmeralda County Library, Eureka Branch Library, Humboldt County Library, Lander County Library, Lincoln County Library, Lyon County Library, Mineral County Library, Pershing County Library, Storey County Library, Tonopah Public Library, Washoe County Library, and White Pine County Library.

The Division maintains an e-mail list of interested parties, comprised mainly of insurance companies, agencies, and other persons regulated by the Division. These persons were notified of the workshop and hearing and that a copy of the regulation could be obtained from or examined on the Division's Internet Web site.

The August 1, 2012 workshop was attended by three (3) interested members of the public in Carson City and three (3) in Las Vegas. The proposed regulation was presented orally by Joy Miller, Producer Licensing Chief, on behalf of the Division. No prior written comments were received from the public, and no public testimony was given.

The August 10, 2012 hearing was attended by two (2) interested members of the public in Carson City and three (3) in Las Vegas. The proposed regulation was presented orally by Joy Miller, Producer Licensing Chief, on behalf of the Division. No prior written comments were received from the public, and no public testimony was given.

Based upon the testimony provided at the workshop and hearing, the regulation, LCB File No. R109-10, was adopted, as proposed.

The economic impact of the regulation is as follows:

- (a) On the business it is to regulate: **Neutral effect:** No adverse effects are anticipated.

- (b) On the small businesses: **Neutral effect:** This regulation removes reference to an obsolete form number and replaces the reference with a new form number. No adverse effects are anticipated.
- (c) On the public: **Neutral effect:** This regulation clarifies the form number and information that is required to be submitted to the Commissioner by a bail agent. No adverse effects are anticipated.

The Division will not incur any additional expense to enforce this regulation.

The Division is not aware of any overlap or duplication of the regulation with any state, local or federal regulation.

STATE OF NEVADA
DEPARTMENT OF BUSINESS AND INDUSTRY
DIVISION OF INSURANCE

IN THE MATTER OF THE

CAUSE NO. **10.0367**
LCB FILE NO. **R109-10**

**REGULATION CONCERNING
BAIL AGENT FORMS**

**SUMMARY OF PROCEEDINGS
AND ORDER**

SUMMARY OF PROCEEDINGS

A public workshop, as required by Nevada Revised Statute (“NRS”) 233B.061, on the proposed regulation concerning bail agent forms was held before Amy L. Parks, Esq. (“Hearing Officer”), on August 1, 2012, at the office of the Nevada Division of Insurance (“Division”) in Carson City, Nevada, and videoconferenced to the Las Vegas office, located in the Bradley Building in Las Vegas, Nevada. A public hearing on the proposed regulation was also held before the Hearing Officer, on August 10, 2012, in Carson City, Nevada, and videoconferenced to the Bradley Building in Las Vegas, Nevada. The regulation is proposed under the authority of NRS 679B.130, 697.130 and 697.360.

The workshop was attended by three (3) members of the public in Carson City and three (3) members of the public in Las Vegas. The hearing was attended by two (2) members of the public in Carson City and three (3) members of the public in Las Vegas. No member of the public testified at either the workshop or the hearing, and no written comments were received.

During the workshop, Ms. Joy Miller, Chief of Producer Licensing, testified on behalf of the Division. Ms. Miller explained that this regulation removes reference to a form ID6-B which is referenced in NAC 697.330. Ms. Miller also explained that the ID6-B form will be replaced with a new form, the ID6-BE form. The ID6-BE form incorporates the use of information

referenced in the National Association of Insurance Commissioners' Uniform Individual Application and provisions of 18 U.S.C. 1033 and 1034, the Violent Crime Control Act of 1994.

During the hearing, Ms. Miller presented the proposed regulation and summarized the proceedings of the workshop. Ms. Miller then recommended that the proposed regulation, LCB File No. R109-10, be adopted without further amendment.

RECOMMENDED ORDER OF THE HEARING OFFICER

Based upon the testimony received at the workshop and hearing, and the written comments received, if any, it is hereby recommended that the regulation concerning bail agent forms, LCB File No. R109-10, be adopted, as proposed, as a permanent regulation of the Division. See Exhibit A.

SO RECOMMENDED this 28th day of August, 2012.

_____/s/
AMY L. PARKS
Hearing Officer

ORDER OF THE COMMISSIONER

Having reviewed the record in this matter and the recommendation of the Hearing Officer, it is hereby ordered that the regulation concerning bail agent forms, LCB File No. R109-10, be adopted, as proposed, as a permanent regulation of the Division. See Exhibit A.

SO ORDERED this 28th day of August, 2012.

SCOTT J. KIPPER
Commissioner of Insurance

By: _____/s/
TODD RICH
Deputy Commissioner
with Delegation of Authority (See Exhibit B)