

120-2-1-.02 Agents Licensing Section

(1) The Agents Licensing Section is charged with the responsibility of protecting the citizens of this State by approving for licensing and renewal only those applicants who possess the mental ability and the moral character that is needed to suppress misrepresentation of the product to be offered.

(2) This section endeavors to promote the dignity of career insurance representatives by strict enforcement of qualification requirements and by firm but fair disposition of violations of the Georgia Insurance Code, with no individual exceptions. Effort is also made to improve public acceptance of insurance by careful screening and testing of proposed representatives and by consistent elimination of those licensees who, through unethical, unfair, or illegal practices, tend to destroy confidence in the industry.

(3) In order to accomplish these desired results, the Agents Licensing Section has been given the authority and duties set forth in paragraph (4) of this Rule.

(4) The section shall:

(a) Administer license qualifications prescribed by law and departmental regulations.

(b) Approve formal classroom training courses required of applicants as agents for life and accident and sickness, property and allied lines, and casualty, surety and allied lines.

(c) Issue temporary licenses ~~and examination permits~~ to qualified, first-time applicants. Upon receipt of completed application and proper fees, a qualified applicant is sent a temporary license ~~or examination permit~~.

(d) Prepare or arrange for the preparation of an examination study manual. Study manuals are prepared by the Commissioner to aid applicants for licensing to gain knowledge required to pass the required written examination. Such manuals are available from the section upon payment of the applicable fee.

(e) Prepare and conduct all license examinations. The place, date, and time for conducting an examination shall be as specified on the examination permit. Questions, for courses in which a study manual has been prepared, shall come from such study manuals, otherwise, from reference materials recommended by departmental regulations. Applicants must present to the examiner a valid examination permit to be entitled to take the examination.

(f) Issue permanent licenses. The address of the licensee appearing on the license shall be the business address of property and casualty licenses; business address of life, accident and sickness licenses if, licensee's business and residence address are in the same city; and when the licensee's business and residence addresses are in different cities, licenses will reflect the licensee's residence address.

(g) Renew licenses. Renewal and applications will be sent to all licensees holding licenses during the current license year. Such applicants should request late renewal applications if no license was held during the current license year. The renewal application contains a replica of the agent's license; licensee shall check the replica for accuracy; space is provided to insert any corrections. Applicant for renewal shall answer all questions, date, and sign the application. Completed applications shall be submitted to the section with the proper renewal license fee.

(h) Collect all license and examination fees. License and examination fees are prescribed and required by law to be collected in advance.

(i) Work out reciprocal agreements with other states for nonresident applicants. The section shall see that Georgia licensees are admitted into other states on the same basis as such other states' licensees are admitted into Georgia. Since it is necessary to change these agreements from time to time because of changes in state insurance laws of the various states, any resident agent interested in securing such a license should contact the section for up-to-date information on the type of licenses which may be secured and the required fees.

(j) Provide letters of certification for Georgia agents seeking licenses in other states. Such letters will be provided if requested by the licensee, an insurance company official or an insurance regulatory official of such other state. Such letter shall be addressed and sent to whomever the requesting party designated. Such letter shall certify only as to those facts appearing in the records of the section.

(k) Handle complaints involving misappropriation of funds, conversion of funds to an agent's personal use, or withholding funds collected by an agent belonging to an insurer, insured, or a beneficiary as such complaints are filed by insurers against agents. The section shall require the insurer to make the charge in writing and furnish proof. The agent shall be notified of the charge and requested to admit or deny such charges. If the agent denies the charge, the agent shall furnish proof to refute it. The section shall request the Administrative Law Section of the Administrative Division to conduct an investigation to determine the facts.

(l) Work in conjunction with the Consumer Services Section with other type complaints filed by insurers against agents for the purpose of determining the facts and coordinating action.

(m) Conduct such pre-hearing conferences with agents as may be necessary for determination if formal hearings are necessary.

(n) Request formal hearings for license revocations. If, in the opinion of the assistant director, satisfactory evidence or answers were not given at the pre-hearing conference, the agent shall be notified that he can either voluntarily surrender his license or attend a formal hearing to show cause why his license should not be revoked. If the agent desires a formal hearing, his file is passed to the Administrative Law Section of the Administrative Division with the request that an appropriate order be drawn.

(o) Advise all companies of any changes in the status of their agents' licenses for the purpose of restricting or curtailing an agent's authority to act or termination of the agent's services if the discrepancy warrants such action.

(5) The Agents Licensing Section is under the supervision and direction of a ~~an~~ ~~assistant~~ director, and such section has been delegated responsibility for administering paragraph (4) of this Rule. All inquiries, requests, and submissions respecting the matters therein set forth should be directed to:

Agents Licensing Section
Office of Commissioner of Insurance
Suite 720 ~~616~~ West Tower, ~~Floyd Building~~
Two Martin Luther King, Jr., Drive
Atlanta, Georgia 30334

Ga. Comp. R. & Regs. R. 120-2-1-.02

Ga. Laws 1960, p. 289 at p. 305; O.C.G.A. Sec. 33-2-9.

Original Rule was filed and effective on July 20, 1965.

Amended: Filed February 7, 1975; effective February 27, 1975.

Repealed: New Rule entitled "Agents Licensing Section" adopted. F. Aug. 24, 1989; eff. Sept. 15, 1989, as specified by the Agency.