

120-2-3-.39 Retail Vendors of Portable Electronics Limited License.

- (1) Upon application to the Commissioner on the required form, a limited license for retail vendors of portable electronics shall be issued provided that:
 - (a) The retail vendor of portable electronics meets the requirements for licensure under Chapter 23 of Title 33 of the Official Code of Georgia Annotated and this Regulation;
 - (b) Each applicant for licensure must remit the fee required by O.C.G.A. § 33-8-1.
- (2) An applicant is not required to be sponsored by an insurer for licensure nor are they required to obtain a certificate of authority.
- (3) No examination is required.
- (4) No continuing education is required.
- (5) The license is required only for principal location or home office.
- (6) An applicant is required to certify that all employees have received basic training as to the types of insurance products specified in O.C.G.A. § 33-23-12(d)(5).
- (7) An instructor and the prelicensing training program must be approved by the Department prior to making application for licensure.
- (8) To request approval, an applicant must submit a course outline and the instructor's resume to the Department.
- (9) In lieu of creating a specific course, taught by an approved instructor, for his or her employees, an applicant may require their employees to complete the property and casualty prelicensing course from an approved provider.
- (10) All licenses issued prior to July 1, 2012 expire on December 31 of the year issued. All licenses issued July 1, 2012, and thereafter are issued on a biennial basis. Licensees are required to renew the license prior to expiration on forms prescribed by the Commissioner and remit a fee required by O.C.G.A. § 33-8-1 for the renewal of said license.

Authority O.C.G.A. Secs. 33-2-9, 33-23-4, 33-23-12, 33-23-44.

120-2-3-.06 Kinds of Licenses Issued.

- (1) Agent and agency licenses will be issued in the following categories:
 - (a) Life — insurance coverage on human lives including benefits of endowment and annuities, and may include benefits in the event of death or dismemberment by accident and benefits for disability income.
 - (b) Accident and sickness — insurance coverage for sickness, bodily injury or accidental death and may include benefits for disability income.
 - (c) Property — insurance coverage for the direct or consequential loss or damage to property of every kind.
 - (d) Casualty — insurance coverage against legal liability, including that for death, injury or disability or damage to real or personal property; also includes surety.
 - (e) Variable products — insurance coverage provided under variable life and variable annuity contracts.
 - (f) Personal lines — property and casualty insurance coverage sold to individuals and families for primarily noncommercial purposes.
 - (g) Credit — limited line credit insurance.
 - (h) Any other line of insurance permitted by Georgia law or regulation.

(2) A limited subagent license may be issued in accordance with Rules 120-2-3-.29 and 120-2-3-.31.

(3) Other licenses may be issued as follows:

(a) Adjuster license for the following categories that are not exempt from the definition of adjuster pursuant to the Official Code of Georgia Annotated § 33-23-1(a)(1):

1. Adjuster — an adjuster who works on behalf of an insurer and/ or an adjusting firm whose licensure is limited to property and casualty. An adjuster may not represent an insured individual.

2. Public adjuster — an adjuster who works on behalf of insured individuals and whose licensure is limited to property and casualty. A public adjuster may not represent an insurer.

3. Workers' Compensation adjuster — an adjuster whose scope of licensure is limited to Workers' Compensation insurance. A workers' compensation adjuster may not represent an insured individual.

4. Crop hail adjuster — an adjuster whose scope of licensure is limited to crop hail and multi-peril crop insurance. A crop hail adjuster may not represent an insured.

(b) Counselor license for the following categories:

1. Counselor license limited to property and casualty.

2. Counselor license limited to life, accident and sickness.

3. Limited Group Health Counselor License limited to group accident and sickness.

(c) Temporary agent license:

1. May be issued for any category or combination of categories listed under Paragraph (1) of this Section except for credit and variable products.

2. May only be issued in compliance with O.C.G.A. § 33-23-13.

(d) Nonresident license:

1. May be issued for any category or categories listed under Paragraph (1) of this Section.

2. May not be granted authority for any line or limited line of insurance not granted under the license held pursuant to the laws of the state of residence except as provided for in O.C.G.A. § 33-23-16(h).

(e) Nonactive agent license — the type of license described in O.C.G.A. §§ 33-23-4(f) and 33-23-18(e).

(f) Surplus line brokers.

(g) Other limited licenses as provided in this Regulation.

Authority O.C.G.A. Secs. 33-2-9, 33-23-1, 33-23-3, 33-23-4, 33-23-11 to 33-23-13, 33-23-16, 33-23-18, 33-23-37

120-2-3-.25 Resident Adjusters, Public Adjusters, Workers Compensation Adjusters, Crop Hail Adjusters and Emergency Disaster Adjusters.

(1) Adjuster:

(a) Effective July 1, 2002, all licensees who currently hold an adjusting company adjuster or an independent adjuster license will be issued an adjuster license in lieu of their current license. All continuing education requirements as outlined in Rule 120-2-3-.15 and all renewal requirements as outlined in Rule 120-2-3-.16 continue to apply after July 1, 2002.

(b) In order for all other resident applicants to be eligible for an adjuster license in accordance with Chapter 23 of Title 33 of the Official Code of Georgia Annotated and this Regulation, the applicant must make proper application to the Commissioner and pay all required fees.

(c) Effective January 1, 2010, all new applicants, excluding active licensees and individuals that apply for reinstatement within 6 months of expiration date, shall be required to submit electronic fingerprints through a vendor selected by the Department for a criminal background check. The applicant shall bear the cost for electronic fingerprinting.

(d) The resident adjuster applicant must complete an approved Prelicensing course in property and casualty unless specifically exempted by Chapter 23 of Title 33 of the Official Code of Georgia Annotated and this Regulation. All prelicensing courses must contain a minimum of twenty (20) hours of instruction per major line of authority. The applicant must pass the required examination for licensure within 12 months of the completion of the prelicensing course. All applicants must pass the required adjuster examination and apply for licensure within 12 months from receiving a passing grade on the examination. Applicants are exempt from the examination requirement if they qualify for the exemption outlined in Rule 120-2-3-.09(1)(k) or hold the designation of CPCU.

(e) All continuing education requirements as outlined in Rule 120-2-3-.15 and all renewal requirements as outlined in Rule 120-2-3-.16 apply to adjuster licensees.

(f) Exceptions to prelicensing course:

1. Applicants who hold a designation of Chartered Property and Casualty Underwriter (CPCU);
2. Applicants who qualify for exemption under O.C.G.A. §§ 33-23-5(a)(5)(A) and 33-23-5(a)(5)(B);
3. Applicants who provide satisfactory evidence such as a transcript from a college or university indicating successful completion of two (2) college or university courses related to insurance. Such courses must relate to the lines of authority for which the Applicant has applied;
4. Applicants who hold college degrees in insurance;
5. Other applicants at the Commissioner's discretion.

(2) Public adjuster:

(a) To be eligible for a resident public adjuster license in accordance with Chapter 23 of Title 33 of the Official Code of Georgia Annotated and this Regulation, the applicant must make proper application to the Commissioner and pay all required fees.

(b) Effective January 1, 2010, all new applicants, excluding active licensees and individuals that apply for reinstatement within 6 months of expiration date, shall be required to submit electronic fingerprints through a vendor selected by the Department for a criminal background check. The applicant shall bear the cost for electronic fingerprinting.

(c) The resident public adjuster applicant must complete an approved prelicensing course in property and casualty unless specifically exempted by Chapter 23 of Title 33 of the Official Code of Georgia Annotated and this Regulation. All prelicensing courses must contain a minimum of twenty (20) hours of instruction per major line of authority. The applicant must pass the required examination for licensure within 12 months of the completion of the prelicensing course. All applicants must pass the required public adjuster examination and apply for licensure within 12 months from receiving a passing grade on the examination. Applicants are exempt from the examination requirement if they qualify for the exemption outlined in Rule 120-2-3-.09(1)(k) or hold the designation of CPCU.

(d) All continuing education requirements as outlined in Rule 120-2-3-.15 and all renewal requirements as outlined in Rule 120-2-3-.16 apply to public adjusters.

(e) The applicant must include with his/her application a public adjuster bond in accordance with Rule 120-2-3-.18.

(f) Exceptions to prelicensing course:

1. Applicants who hold a designation of Chartered Property and Casualty Underwriter (CPCU);
2. Applicants who qualify for exemption under O.C.G.A. §§ 33-23-5(a)(5)(A) and 33-23-5(a)(5)(B);
3. Applicants who provide satisfactory evidence such as a transcript from a college or university indicating successful completion of two (2) college or university courses related to insurance. Such courses must relate to the lines of authority for which the Applicant has applied;
4. Applicants who hold college degrees in insurance;
5. Other applicants at the Commissioner's discretion.

(3) Workers' Compensation adjuster:

- (a) To be eligible for a resident workers' compensation adjuster license in accordance with Chapter 23 of Title 33 of the Official Code of Georgia Annotated and this Regulation, the applicant must make proper application to the Commissioner and pay all required fees.
- (b) Applicants must hold and submit proof of the designation of CWCP or the designation of CPCU or qualify under Rule 120-2-3-.09(1)(k).
- (c) Effective January 1, 2010, all new applicants, excluding active licensees and individuals that apply for reinstatement within 6 months of expiration date, shall be required to submit electronic fingerprints through a vendor selected by the Department for a criminal background check. The applicant shall bear the cost for electronic fingerprinting.
- (d) All continuing education requirements as outlined in Rule 120-2-3-.15(2)(c) and all renewal requirements as outlined in Rule 120-2-3-.16 apply to workers' compensation adjusters.

(4) Crop Hail adjuster:

- (a) To be eligible for a resident crop hail adjuster license in accordance with Chapter 23 of Title 33 of the Official Code of Georgia Annotated and this Regulation, the applicant must make proper application to the Commissioner and pay all required fees.
- (b) All applicants must complete an approved proficiency testing program. Applicants are exempt from the proficiency testing program requirements if they qualify for the exemption outlined in Rule 120-2-3-.09(1)(k) or hold the designation of CPCU.
- (c) Effective January 1, 2010, all new applicants, excluding active licensees and individuals that apply for reinstatement within 6 months of expiration date, shall be required to submit electronic fingerprints through a vendor selected by the Department for a criminal background check. The applicant shall bear the cost for electronic fingerprinting.
- (d) All continuing education requirements as outlined in Rule 120-2-3-.15 and all renewal requirements as outlined in Rule 120-2-3-.16 apply to crop hail adjusters.

(5) Emergency Disaster adjuster:

- (a) In the event of a Georgia Emergency Management Authority (GEMA) declared disaster or catastrophe, the insurer will be required to electronically file with the Department a list of non-licensed salaried staff adjusters and out of state licensees that will be handling claims relating to the catastrophe/disaster. Upon proper filing, Disaster Re-entry Permits will be assigned to each insurer. These re-entry permits are to be temporarily assigned to each adjuster for a period not to exceed 60 days.
- (b) The Insurer's electronic emergency adjuster filing must include information regarding its adjuster Coordinator. The filing must include the adjuster coordinator's name, address, e-mail address, phone and fax number, as well as any additional information the Commissioner deems

necessary. The adjuster coordinator will be responsible for the emergency disaster adjuster filings and assignment of the re-entry permits.

(c) In the event of a non-GEMA declared disaster, nonresident adjusters licensed in another state may enter Georgia for a period not to exceed 60 days. The adjuster must notify the Department prior to entry into this state. Such notification must include the adjuster’s name, address, date of anticipated entry into this state and any other information that the Commissioner deems necessary to complete the filing. If the adjuster will be in this state for a period exceeding 60 days, the individual must apply for adjuster licensure.

Authority O.C.G.A. Secs. 33-2-9, 33-8-1, 33-23-1, 33-23-5, 33-23-5.1, 33-23-6, 33-23-8, 33-23-10, 33-23-15, 33-23-18, 33-23-29, 33-23-44

120-2-3-.16 Dates for Resident License Renewal and Required Filing of Continuing Education Credits.

(1) For resident licenses issued prior to July 1, 2012, license renewals must be filed by November 1st of each year on forms prescribed by the Commissioner. Failure to timely file the required license renewal forms along with the appropriate fee shall result in the expiration of the license as of December 31st of the year in question.

(2) For renewals filed July 1, 2012 through December 31st 2012, fees will be prorated for the transition to biennial licenses. The prorated renewal fee for the transition year will be calculated by dividing the two year fee by 24 months multiplied by the number of months the license will be held determined by birth month. The prorated fee will be rounded to the nearest .25 cents.

(3) Upon renewal the following schedule will be used for the transition from fixed date expiration of December 31, 2012 to birth month expiration:

BIRTH MONTH	TRANSITION EXPIRATON DATE	LENGTH OF TRANSITION LICENSE
January	01/31/2015	25 Months
February	02/28/2015	26 Months
March	03/31/2015	27 Months
April	04/30/2015	28 Months
May	05/31/2015	29 Months
June	06/30/2014	18 Months
July	07/31/2014	19 Months
August	08/31/2014	20 Months
September	09/30/2014	21 Months
October	10/31/2014	22 Months
November	11/30/2014	23 Months
December	12/31/2014	24 Months

(a) Beginning July 1, 2012, upon renewal, each licensee’s expiration date will be converted to a birth month expiration;

- (b) After conversion to birth month expiration, license renewals and appropriate fees will be due on the last day of the licensee's birth month;
- (c) Licensee may file a late renewal with appropriate late fee within 15 days of the last day of the licensee's birth month;
- (d) Failure to file the required license renewal form along with the appropriate fee shall result in the expiration of the license as of the last day of the licensee's birth month of the year in question.
- (4) For licenses issued prior to July 1, 2012, all continuing education requirements must be completed on or before December 31, 2012.
 - (a) Upon renewal in 2012, continuing education completion deadlines will be converted to a biennial date based on birth month.
 - (b) After this conversion, continuing education requirements must be completed biennially on or before the last day of the licensee's birth month.
- (5) Failure to file the complete and correct renewal with required attachments and/or evidence of completion of required continuing education by the required filing date will result in a penalty being assessed when licensee applies for late renewal reinstatement.
 - (a) The penalty assessed will be \$150; this penalty is in addition to any required renewal and late fees. The penalty and required fees are to be paid at the time of submission of late renewal reinstatement.
 - (b) If late renewal reinstatement is received 6 or more months after the expiration date, the licensee is required to submit electronic fingerprints in addition to the \$150 penalty and required renewal and late fees.
- (6) If an individual fails to file for late renewal reinstatement prior to one (1) year from the license expiration date, the licensee will be required to reapply for the license and satisfy all precensing requirements.
- (7) A licensed insurance producer who is unable to comply with license renewal procedures due to military service may request a waiver of those procedures. The producer may also request a waiver of any examination requirement or any other fine or sanction imposed for failure to comply with renewal procedures.

Authority O.C.G.A Secs. 33-2-9, 33-23-5, 33-23-18, 33-23-21, 33-23-44.