

BEFORE THE INSURANCE COMMISSIONER OF THE  
STATE OF OKLAHOMA

FILED

JUL 13 2016

INSURANCE COMMISSIONER  
OKLAHOMA

Case No. 16-0634-PRJ

IN RE: ELECTRONIC FILINGS OF MOTOR )  
SERVICE CLUBS IN THE )  
STATE OF OKLAHOMA )  
)  
)

TO: ALL MOTOR SERVICE CLUBS LICENSED IN THE  
STATE OF OKLAHOMA

JURISDICTION

1. John D. Doak is the Insurance Commissioner of the State of Oklahoma and is charged with the duty of administering and enforcing all provisions of the Oklahoma Insurance Code, 36 O.S. §§ 101 et seq., pursuant to 36 O.S. § 307.

2. Notwithstanding any other provision of law that requires a particular form and associated payment to be filed with the Insurance Department in paper form, or to be mailed or hand-delivered to the Insurance Department, the Insurance Commissioner may, by appropriate order, require that all filings of that specific type be filed or delivered in electronic format. 36 O.S. § 350.

FINDINGS OF FACT

1. Every company that sells or offers for sale any motor service club shall file a formal application for a certificate of authority with the Insurance Commissioner and include in such filing all of the items that are listed in 36 O.S. § 3102(B)(1) through (7), and shall at the time of filing an application, pay an initial filing fee of Two Hundred Fifty Dollars (\$250.00) and an annual license fee of One Hundred Dollars (\$100.00) to the General Fund of the State of Oklahoma. 36 O.S. § 3102(B), (C)(1) and (2).

2. All certificates of authority shall expire on July 1, unless renewed; certificates of authority may be renewed for a period not to exceed the succeeding July 1 upon the payment of an annual license fee of One Hundred Dollars (\$100.00) to the General Fund of the State of Oklahoma. 36 O.S. § 3102(C)(2).

3. Every motor service club shall furnish to the Commissioner, on or before July 1 of each year, on blanks prescribed and furnished by the Commissioner, a statement which shall exhibit the financial condition of the company as of December 31 of the previous calendar year. Such statements shall be subscribed and sworn to by the president and secretary or two other proper officers of the company. 36 O.S. § 3106(B).

3. On November 1, 2014, the following statutory provision in the Oklahoma Insurance Code took effect:

**DUTY TO FILE OR DELIVER PAYMENTS ELECTRONICALLY**

**Notwithstanding any other provision of law that requires a particular form and associated payment to be filed with the Insurance Department in paper form, or to be mailed or hand-delivered to the Insurance Department, the Insurance Commissioner may, by appropriate order, require that all filings of that specific type be filed or delivered in electronic format. 36 O.S. § 350.**

4. This provision of law provides the Insurance Commissioner with the authority, by appropriate order, to require certain forms and associated payments to be filed electronically with the Insurance Department.

5. The Insurance Commissioner finds it proper to prescribe that all applications for motor service club certificates of authority including all of the items that are listed in 36 O.S. § 3102(B)(1) through (7) and accompany fees be filed by electronic means and format effective on or before July 1, 2017 and thereafter.

6. The Insurance Commissioner further finds it proper to prescribe that all statements which shall exhibit the financial condition of motor service clubs as of December 31 of the previous calendar year be filed by electronic format effective on or before July 1, 2017 and thereafter.

**CONCLUSIONS OF LAW**

1. The Findings of Fact above are adopted, and incorporated by reference in these Conclusions of Law as if fully set forth herein.

**ORDER**

**IT IS THEREFORE ORDERED**, based upon the foregoing Findings of Fact and Conclusions of Law, that all motor service club applications for certificates of authority, including all of the items that are listed in 36 O.S. § 3102(B)(1) through (7), renewal applications, all accompanying fees for motor service club certificates of authority, and statements exhibiting the financial condition of the company as of December 31 of the previous calendar year shall be filed by electronic format effective on or before July 1, 2017 and thereafter, pursuant to 36 O.S. § 350, as approved by the Commissioner.

**THIS ORDER** shall only apply to motor service club certificates of authority applications, renewal applications, all accompanying fees for motor service club certificates of authority, and statements exhibiting the financial condition of the company as of December 31 of the previous calendar year submitted to the Insurance Commissioner on or before July 1, 2017 and thereafter.

**IT IS SO ORDERED.**

WITNESS My Hand and Official Seal this 12<sup>th</sup> day of July, 2016.



*James A. Mills*

JAMES MILLS  
CHIEF OF STAFF  
STATE OF OKLAHOMA