

**TITLE 365. INSURANCE DEPARTMENT
CHAPTER 1. ADMINISTRATIVE OPERATIONS**

RULEMAKING ACTION:

Notice of proposed PERMANENT Rulemaking

PROPOSED RULES:

- Subchapter 1. General Provisions
 - 365-1-1-4. Requests for information [AMENDED]
 - 365:1-1-4.1. Fees [REVOKED]
 - 365:1-1-7. Electronic Signatures [NEW]
- Subchapter 7. Hearings
 - 365:1-7-1. Setting hearings; demands for hearings [AMENDED]
 - 365:1-7-4. Conduct of hearings [AMENDED]
- Subchapter 9. Description of Forms and Instructions
 - 365:1-9-1. Company licensure forms [AMENDED]
 - 365:1-9-5. Surplus lines forms [AMENDED]
 - 365:1-9-11. Applications [AMENDED]
 - 365:1-9-12. Agency and customer service representative appointment forms [AMENDED]
 - 365:1-9-13. Suggested language for producers bonds [AMENDED]
 - 365:1-9-16. Producer licensing forms [AMENDED]
 - 365:1-9-17. Other agents forms [AMENDED]
 - 365:1-9-17.2. Name change on an individual license [AMENDED]
 - 365:1-9-18. Bail bond forms [AMENDED]
- Subchapter 11. E.A.G.L.E. Mediation Program
 - 365:1-11-9. Reporting [AMENDED]
- Subchapter 13. Electronic filings
 - 365:1-13-1. Electronic filings [AMENDED]

SUMMARY:

- 365-1-1-4. Updated to reflect open records fees as prescribed by statute.
- 365:1-1-4.1. Removes unnecessary language pursuant to Governors Executive Order on rule regulation (EO2020-03).
- 365:1-1-7. Adds language allowing for electronic signatures.
- 365:1-7-1. Adds language allowing hearings to be held remotely in certain circumstances. Provides for electronic transmission and signature of remote-hearing documents.
- 365:1-7-4. Sets timeframe for the Department to receive evidence when hearing is to be held remotely.
- 365:1-9-1. Updates spelling of Marshal and citation format.
- 365:1-9-5. Removes requirement for a wet signature.
- 365:1-9-11. Removes Insurance Consultant and Customer Service Representative due to legislative changes in 2022.
- 365:1-9-12. Removes customer service representative due to legislative changes in 2022.
- 365:1-9-13. Removes the Insurance Consultant Bond due to legislative changes in 2022. Clarifies “Insurance Brokers” means “Surplus Lines Insurance Brokers.”
- 365:1-9-16. Removes the Insurance Consultant Certificate due to legislative changes in 2022. Removes Life or Accident and Health Insurance Broker License Certificate due to legislative changes in 2018.
- 365:1-9-17. Removes the consulting agreement due to legislative changes in 2022.
- 365:1-9-17.2. Removes unnecessary language.
- 365:1-9-18. Updates requirements for bail bondsman application.
- 365:1-11-9. Removes requirement for a wet signature.

365:1-13-1. Removes Insurance Consultant and Customer Service Representative applications due to legislative changes in 2022.

AUTHORITY:

Insurance Commissioner, 36 O.S. §§ 307.1, 1541, 1641, 6123, 6958-6968; 59 O.S. §§ 358 and 1302.

COMMENT PERIOD:

Written or oral comments regarding the proposed rule amendment shall be received on or before 5:00 p.m. on January 6, 2023. Comments shall be directed to Ashley Scott, Government and Community Affairs Director, Oklahoma Insurance Department, 400 Northeast 50th Street, Oklahoma City, 73105.

PUBLIC HEARING:

A public hearing regarding the proposed rule amendments will be held Wednesday, January 4th, at 9:00 a.m. at the Oklahoma Insurance Department, 400 NE 50th Street, Room 132, Oklahoma City, OK 73105. Anyone who wishes to speak must sign in at the door by 9:05 a.m.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

Business entities are requested to provide any increase in costs expected to be incurred due to compliance with the proposed rules. The comments shall be submitted to Ashley Scott, Government and Community Affairs Director, Oklahoma Insurance Department, at the mailing address above on or before 5:00 p.m. on January 6, 2023.

COPIES OF PROPOSED RULES:

Copies of the proposed rule amendments may be inspected at the Oklahoma Insurance Department at the physical address listed above. Office hours are from 8:00 a.m. through 5:00 p.m., Monday through Friday. Copies of the rules may also be inspected and obtained on the Insurance Department's website at www.oid.ok.gov.

RULE IMPACT STATEMENT:

A rule impact statement will be available on and after December 15, 2022, in accordance with 75 O.S. § 303(D). A copy of the statement may be obtained at the physical address above and will be available on the Insurance Department's website at www.oid.ok.gov.

CONTACT PERSON:

Ashley Scott, Government and Community Affairs Director, (405) 521-6616.