

1. Prior to expiration of the current license term, each licensee shall submit a properly completed renewal application, including electronic online submissions, together with payment of renewal fees in accordance with N.J.A.C. 11:17-2.12. The renewal application shall be signed, dated and certified to be correct by the licensee or a licensed officer, partner, owner or designated licensed responsible producer of a licensed business entity, or an authorized submitter for electronic online submissions. The licensee shall certify that he, she or it continues to be qualified in accordance with the insurance laws of New Jersey.

(b) Failure to submit the renewal application for receipt by the date of expiration shall be deemed to establish that the license expired on the expiration date shown, and that the licensee was not thereafter authorized to engage in any activities for which the license is required.

(c) If an applicant's license has lapsed for a period of less than one year, the applicant may apply for late renewal of the license within one year of the date the license expired if evidence of the following is provided:

1. Proof of completion of continuing education credits when required by N.J.A.C. 11:17-3.6;

2. The applicant's certification which shall state whether or not the applicant has transacted any business as an insurance producer during the unlicensed period and, if so, the number of policies written, renewed or modified by endorsement or other means; and

3. Late renewal fee as provided by N.J.A.C. 11:17-2.12.

(d) An applicant who files a late renewal request within one year of the license expiration date shall be granted a waiver from the prelicensing education and examination requirement set forth in N.J.A.C. 11:17-3.4 and 3.5.

Amended by R.1993 d.507, effective October 18, 1993.

See: 24 N.J.R. 3216(a), 25 N.J.R. 4744(b).

Amended by R.2002 d.354, effective November 4, 2002.

See: 34 N.J.R. 2286(a), 34 N.J.R. 2549(b), 34 N.J.R. 3839(a).

Rewrote the section.

Amended by R.2006 d.429, effective December 18, 2006.

See: 38 N.J.R. 2378(a), 38 N.J.R. 5369(a).

Rewrote (a)1; deleted (c); recodified former (d) and (e) as (c) and (d); and in (d), updated the N.J.A.C. references.

Amended by R.2009 d.153, effective May 4, 2009.

See: 40 N.J.R. 6523(a), 41 N.J.R. 2014(c).

In (a)1, substituted "Prior to expiration of the current license term" for "At least 10 days before the license expiration date"; and in the introductory paragraph of (c), substituted "if evidence of the following is provided" for "provided the following is attached to the application".

### 11:17-2.6 Additional authorities

(a) A currently licensed individual producer may obtain additional authorities as described in N.J.A.C. 11:17-2.2 by submitting a written request to the Department or by completing an online application, which may be submitted by an authorized submitter, and by providing the following:

1. The producer's name, residence and business addresses, contact information and New Jersey Producer License Reference Number or National Producer Number;

2. If a resident, a certificate evidencing completion of an approved course of prelicensing education, if required, or a certificate evidencing waiver of this requirement, and a certificate evidencing that the applicant has passed the State licensing examination for the authority or authorities requested not longer than one year prior to the application date, or a certificate evidencing waiver of this requirement;

3. If a nonresident, certification from the applicant that he, she or it holds a current license with comparable authority in the home state; and

4. Payment of the processing fee as required by N.J.A.C. 11:17-2.12.

(b) A currently licensed business entity producer may obtain additional authorities as described in N.J.A.C. 11:17-2.2 by submitting a written request to the Department dated, signed and certified to be correct by a licensed officer, partner, owner or designated licensed responsible producer who holds or has applied for that authority or by completing an online application, and by providing the following:

1. The business entity's name, address, contact information and New Jersey Producer License Reference Number or National Producer Number; and, if signed by the designated licensed responsible producer, the New Jersey Producer License Reference Number or National Producer Number of the designated licensed responsible producer;

2. If a nonresident applicant, certification from the applicant that it holds a currently valid license with the comparable authority in its home state; and

3. Payment of the processing fee described in N.J.A.C. 11:17-2.12.

Amended by R.1993 d.507, effective October 18, 1993.

See: 24 N.J.R. 3216(a), 25 N.J.R. 4744(b).

Amended by R.2002 d.354, effective November 4, 2002.

See: 34 N.J.R. 2286(a), 34 N.J.R. 2549(b), 34 N.J.R. 3839(a).

Rewrote the section.

Amended by R.2006 d.429, effective December 18, 2006.

See: 38 N.J.R. 2378(a), 38 N.J.R. 5369(a).

In the introductory paragraph of (a), inserted "a written request to the Department or by completing an online application, which may be submitted by an authorized submitter, and by providing"; rewrote (a)1; in (a)2, inserted "not longer than one year prior to the application date,"; in (a)3, inserted " and" at the end; and rewrote the introductory paragraph of (b) and (b)1.

### 11:17-2.7 Legal and business names; addresses

(a) No resident licensed individual producer shall conduct insurance business under a name other than his or her legal name unless the name has been filed with and approved by the Department. Nothing in this section shall prohibit the transaction of business under the licensee's legal name and the words "agency," "insurance agency," "brokerage" or words determined by the Department to be of similar import. Issuance of a license containing the name shall serve as notice of approval.

(b) No nonresident licensed producer shall conduct business under a name other than its legal or business name in the state where it maintains a resident license.

(c) No resident business entity shall conduct insurance business unless the business name has been filed with and approved by the Department. Issuance of a license containing the name shall serve as notice of approval.

(d) Standards for business names are as follows:

1. No business name shall have the capacity or tendency to be misleading or deceptive;

2. No business name shall be identical or confusingly similar to the business name of another currently licensed resident producer;

3. If the word "insurance" or its equivalent is contained in the name, it must be joined with wording such as "agency" or "brokerage" to distinguish the entity from an insurance underwriting company;

4. No business name shall express or imply any identification or affiliation with a Federal, State or other government entity, including any department, division, bureau or subdivision of such entities nor shall it misleadingly imply identification with a not-for-profit organization;

5. No business name shall consist of or include any franchise designation except in accordance with procedures approved by the Commissioner; and

6. No business name shall contain the name of, or imply any affiliation with, a producer whose license has been revoked, terminated, suspended or voluntarily surrendered for cause.

(e) A resident applicant may obtain prior Departmental approval of a proposed business name before the filing of the name with the Department of Treasury, Division of Revenue Business Services, County Clerk or other authority by submitting the proposed name or names for consideration. Prior approvals of names shall expire 90 days after the date of prior approval if no license application is received by the Department.

(f) The requirements for business addresses and notification of change of business mailing or location address, residence address, phone number and email address, are as follows:

1. All licensees shall provide the Department with a complete and current business mailing address, and, if different, a street or location address, phone number and, if applicable, email address. Individual licensees shall also provide the Department with a complete and current residence address, phone number and, if applicable, email address.

2. All licensees shall provide in the format prescribed by the Department notification of any change of business

mailing or location address, residence address, phone numbers and email addresses within 30 days of the change and maintain a proof of notification for five years or until receipt of a license or other documentation from the Department showing the new address. Licensees may submit changes of address online through the National Insurance Producer Registry at [www.nipr.com](http://www.nipr.com).

3. Any legal process issued pursuant to the statutory authority of the Commissioner including, but not limited to, subpoenas, orders and orders to show cause may be served by sending the documents to the business mailing or residence address of the licensee then on file with the Department.

(g) A licensee shall advise the Department of a change of any legal name, business name or a change of the address which appears on the license by electronic submission or by submitting a written request signed by the producer or a licensed owner, officer, partner or designated licensed responsible producer of the business entity indicating the change required and, in the event of a name change, appropriate supporting documentation of the change. No fee shall be required for such changes. If the notice is to change a legal or business name of a resident business entity, the business name shall be approved by the Department in accordance with (b) above and the hard copy request shall be accompanied by a copy of the document filed in the Department of Treasury, Division of Revenue Business Services, County Clerk or other authority evidencing that the change has been properly recorded or, if the notice is given by electronic means, a copy of the authority shall be immediately mailed to the Department.

Amended by R.1993 d.507, effective October 18, 1993.

See: 24 N.J.R. 3216(a), 25 N.J.R. 4744(b).

Amended by R.2002 d.354, effective November 4, 2002.

See: 34 N.J.R. 2286(a), 34 N.J.R. 2459(b), 34 N.J.R. 3839(a).

Rewrote the section.

Amended by R.2003 d.441, effective November 3, 2003.

See: 35 N.J.R. 2159(a), 35 N.J.R. 5115(a).

In (f)2, substituted "30" for "20" preceding "days".

Amended by R.2006 d.429, effective December 18, 2006.

See: 38 N.J.R. 2378(a), 38 N.J.R. 5369(a).

In the introductory paragraph of (f), substituted a comma for "and" preceding "residence" and inserted ", phone number and email address,"; in (f)1, inserted ", phone number and, if applicable, email address" two times; in (f)2, substituted a comma for "and" preceding "residence", inserted "phone numbers and email addresses", and deleted "new or renewed" preceding "license"; and rewrote (g).

Amended by R.2009 d.153, effective May 4, 2009.

See: 40 N.J.R. 6523(a), 41 N.J.R. 2014(c).

In (f)2, inserted the last sentence.

#### Case Notes

Revocation of insurance producer licenses was proper where respondents, an individual and her company, failed to notify the Commissioner of changes in her business address within the time permitted (modifying 2008 N.J. AGEN LEXIS 758). *Goldman v. Montesinos*, OAL Dkt. No. BKI 12544-07, 2008 N.J. AGEN LEXIS 1022, Final Decision (September 19, 2008).

Submitting documentation to create false impression as to writing of service fee agreements was dishonesty warranting revocation of license as insurance producer. *Fortunato v. Watley*, 95 N.J.A.R.2d (INS) 23.