

**LICENSING PROCEDURES
FOR NONRESIDENT
INSURANCE AGENTS
TO OBTAIN AUTHORITY
IN VIRGINIA**

July 2008

OBTAINING A NONRESIDENT LICENSE

A. Individual applicants must be at least 18 years of age and either a citizen of the United States or authorized to work in the United States (must provide work authorization documentation).

B. In most instances, any license that can be issued to a resident agent may also be issued to a nonresident agent through reciprocity and no examination would be required for nonresident licenses. Currently, Florida statutes require non-resident title agents to pass the Florida title exam for licensure. As such, the Virginia Bureau of Insurance requires Florida title agents to pass the Virginia title exam for licensure in Virginia. (<http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+38.2-1836>)

C. You may apply online at <https://www.nipr.com/html/nriWelcome.html>, which will expedite your application process, or you may submit the Application for Individual Insurance License (PIN3001) Form or the NAIC Uniform Application for Individual Insurance Producer License Form along with a **nonrefundable, nontransferable** license application fee in the form of a certified check, bank or teller's check, insurance company or agency check, or money order for \$15 per line of authority made payable to TREASURER OF VIRGINIA, SCC/BOI.

D. When using either application form you may apply for more than one line of authority on the same application. The \$15 fee per line of authority is **nonrefundable and nontransferable**.

E. As part of Virginia's effort to achieve complete reciprocity with other states regarding agent licensing, all nonresident applicants must be currently licensed as a resident and in good standing in the applicant's home state (verified via the NAIC's Producer Data Base) and the applicant's home state must issue a nonresident agent license to residents of Virginia on the same basis. In order to be licensed in Virginia, a nonresident applicant's home state licensing information must be reported to the NAIC or the applicant must attach a current certification letter from his/her/its home state indicating the above information.

F. In order to obtain a nonresident license, you must appoint the Clerk of the Commission the agent for service of process in any action or proceeding arising in this Commonwealth out of or in connection with the exercise of this license. (<http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+38.2-1819>)

G. Nonresident applicants that have been convicted of (or pled guilty or nolo contendere) to a violation of law, other than a minor traffic violation, must provide a written statement explaining the circumstances of each incident; a certified copy of the charging document; a certified copy of the official document that demonstrates the resolution of the charges or any final judgment; if applicable, a letter from the federal or state probation and parole office outlining your performance or satisfactory completion of your probationary period; if applicable, a letter from your current or prospective employer if engaged in the business of insurance; your employment history since your

conviction; a copy of any civil rights restoration; and a copy of the 1033 waiver approved by your home state.

ONCE YOU RECEIVE YOUR LICENSE

A. You may solicit applications for any company authorized in Virginia for classes of insurance covered by the agent's license.

B. An insurance company must appoint you within 30 calendar days of the date of execution of the first application submitted by you to the company. The company must notify you if the Commission notifies the company that the attempt to appoint you was invalid. The company's notice must be provided within five business days of receipt of the invalid appointment notice from the Commission. Any agent who sells or solicits insurance on behalf of the insurer after being notified of an invalid appointment shall be in violation of Virginia law. An appointment may be verified by utilizing the Bureau's Agent/Agency Lookup feature at <http://scc.virginia.gov/division/boi/webpages/boiproducer.htm>.

C. Your contract with the insurance company is **NOT** an appointment. An appointment is a formal notification from the insurer to the Bureau, for which the company pays a \$12 fee. Simply having an employment contract or agent contract with an insurance company does not satisfy this requirement, and would place both the insurer and the agent in violation of Virginia law.

D. Appointments must be renewed annually by June 30. This is done by the insurance company. If the company fails to renew the appointment, or terminates the appointment at any time, the company must notify you in writing within **five** calendar days. Once you receive such notice, you must immediately cease soliciting applications on behalf of that insurer. The Bureau will **NOT** notify you of appointment cancellations.

E. Your license will remain in an "active" status unless surrendered, terminated, suspended, or revoked, as long as your license in your state or province of domicile (residence) remains in an "active" status and, if applicable, comply with the continuing education requirements. Termination, revocation, suspension, or cancellation of your license in your state or province of domicile (residence) automatically terminates your Virginia license.

CONTINUING EDUCATION

Virginia has a biennial Continuing Education (CE) requirement for all agents holding one or more of the following license types:

Life and Annuities	-	Type 007
Health	-	Type 008
Life and Health Consultant	-	Type 059
Property and Casualty	-	Type 030

Personal Lines	-	Type 032
Property and Casualty Consultant	-	Type 058
Title	-	Type 033

The CE program in Virginia is NOT administered by the Bureau. A separate entity, known as the Virginia Insurance Continuing Education Board, is responsible for development and administration of the CE program. The Board, in turn, has contracted with Prometric for operation of the program.

For further information on Virginia's CE program, including reciprocity information, or to obtain a copy of Virginia's Continuing Education Information Handbook, visit its website at www.prometric.com/CE/vaceprod.htm or call Prometric at 1-800-482-2366.

MISCELLANEOUS

A. Change of Name or Address

Each licensed agent is required by law to notify the Bureau in writing within 30 calendar days of any change of residence or name. Address changes should be made online at <http://scc.virginia.gov/division/boi/webpages/boionlineservices.htm>.

Name and ID changes should be submitted on the Service Request (PIN5001) Form, which may be downloaded from the Bureau's website at <http://scc.virginia.gov/division/boi/webpages/boiformsapplications.htm>. This form must be signed by the agent or, if applicable, an officer or principal of the agency.

B. Assumed or Fictitious Names

Any person or entity (corporation, partnership, or limited liability company) conducting the business of insurance in this Commonwealth under an assumed or fictitious name is required to notify the Bureau, in writing, either at the time the application for a license is filed or at the time the assumed or fictitious name is adopted. The submission may be submitted on the Service Request (PIN5001) Form.

C. Felony Conviction

An agent (resident or nonresident) is required by law to report to the Bureau within 30 calendar days the facts and circumstances regarding a conviction of or pleading guilty or nolo contendere to any felony offense.

D. Administrative Actions

An agent (resident or nonresident) is required by law to report to the Bureau within 30 calendar days the final disposition, to include a copy of the order, consent to order, and/or other relevant legal documents, of any administrative action taken against him in another jurisdiction or by another governmental agency.

AGENCY LICENSING

Virginia law (§ 38.2-1836) allows the Bureau to issue a nonresident license to a corporation, limited liability company, or partnership only if the state of domicile of the corporation, limited liability company, or partnership would issue a similar license to a Virginia corporation, limited liability company, or partnership.

A nonresident corporation, limited liability company, or partnership seeking an agency license in Virginia must submit:

- An Application for Business Entity Insurance License (PIN4052) Form or a NAIC Uniform Application for Business Entity Insurance License/Registration Form, which may be downloaded at <http://scc.virginia.gov/division/boi/webpages/boiformsapplications.htm> or http://www.nipr.com/non_resident_paper_licensing.htm.
- The nonrefundable, nontransferable license application fee in the amount of \$15 per line of authority; and
- Letters of Certification are no longer required for the issuance of a nonresident license provided that the applicant's state of residence is a participant of the NAIC's Producer Data Base (PDB). If the state of residence does not participate in the PDB, a Letter of Certification (no more than 90 days old) is required. Non-resident licenses will be verified via an electronic verification process through PDB prior to the issuance of the license.
- A business entity is not required to first obtain a certificate of authority, including a certificate of registration, certificate of organization, certificate of limited partnership, or charter, from the Commission prior to being eligible to obtain a license as an insurance agent, consultant, surplus lines broker, or viatical settlement broker. However, the business entity must still obtain the necessary certificate of authority. A failure to obtain that certificate of authority may result in the Bureau of Insurance terminating the producer license.

INSTRUCTIONS FOR AGENTS MOVING INTO VIRGINIA

A. All licensed individuals moving into Virginia are directed to review the [Insurance Licensing Candidate Handbook](#), which contains detailed information on requirements for licensing. The instructions in the Handbook must be followed in addition to the information furnished here.

B. Anyone who has been licensed in his or her state or province of domicile (residence) moving to Virginia, but not holding a nonresident Virginia agent license, may submit the application to become a resident agent and the nonrefundable, nontransferable license processing fee. You must have been cleared by the insurance department of your former state of residence prior to applying for the license. The Bureau will verify that you were cleared through the NAIC's Producer Data Base. **No prelicensing examination is required to obtain any line of authority previously held in the prior state if the application is received within 90 calendar days of the cancellation of the applicant's previous license in the applicant's**

home state. Anyone who fails to submit the application and nonrefundable, nontransferable license processing fee within 90 calendar days of the cancellation of the applicant's previous license will be required to satisfy all resident agent prelicensing requirements in order to be issued a license.

C. An agent with an active nonresident Virginia license will be granted a period of 90 calendar days from the date his/her previous home state licenses were terminated, during which time he/she may continue to operate under his/her nonresident license while applying for a resident Virginia license(s). Appointments made under the nonresident license will remain in effect during the 90-calendar-day period, unless terminated for other reasons. If the agent obtains a resident Virginia license within the 90-day period, any active appointments will automatically be converted to resident appointments when the resident license is issued. If, at the end of the 90-calendar-day period, the agent has not obtained a resident license, the equivalent nonresident license(s) and associated appointment(s) will be canceled. Anyone who fails to submit the application and nonrefundable, nontransferable license processing fee within 90 calendar days of the cancellation of the applicant's previous license will be required to satisfy all resident agent prelicensing requirements in order to be issued a license.

D. To obtain a resident license you must submit the following:

- An Application for Individual Insurance License (PIN3001) Form, which may be downloaded at <http://scc.virginia.gov/division/boi/webpages/boiformsapplications.htm>.
- A nonrefundable, nontransferable license application fee in the form of a certified check, bank or teller's check, insurance company or agency check, or money order for **\$15** per line of authority made payable to the TREASURER OF VIRGINIA, SCC/BOI.

E. If you fail to obtain a Virginia resident license prior to the expiration of the 90 calendar days, you must attach to the application a criminal history record report from your **former** state of residence if you have **not** established a Virginia residence within the **past six months**. Otherwise, contact the Virginia State Police at 804-674-2000 or you may download the form (SP-167) from its website at <http://www.vsp.state.va.us/> to obtain a criminal history record report. **If you fail to provide a current (no more than 90 days old) criminal history record report, the Bureau will refuse to issue a license to you.**

F. As soon as a resident license is issued, any equivalent nonresident license will be terminated. Restricted licenses (those not requiring an exam) may be applied for as soon as residency is established, **PROVIDED** the agent does not hold an unrestricted nonresident license of the same classification (i.e. Life and Health or Property and Casualty), because in that case we will not allow a restricted license to be issued while a nonresident unrestricted "umbrella type" license is in force.

A Virginia Insurance Licensing Candidate Handbook that contains prelicensing information can be obtained at www.pearsonvue.com or by calling Pearson VUE at 888-204-6272. The Handbook is not available by fax.

You may obtain licensing forms on the Bureau's website at <http://scc.virginia.gov/division/boi/webpages/boiformsapplications.htm>.

The NAIC's Uniform Application for Individual Insurance Producer License Form can be obtained from various sources. One of the ways to obtain the NAIC's uniform application form is to contact the National Insurance Producer Registry (NIPR) at their website: http://www.nipr.com/non_resident_paper_licensing.htm.

The Bureau will accept a properly completed NAIC uniform application form in lieu of the Virginia form, but only for license types Life and Annuities, Health, Variable Contracts, Property and Casualty, Personal Lines, or Limited Lines Credit.

The above information is not intended to be all-inclusive. If you have any questions or problems not addressed here, please visit the Bureau's website at <http://scc.virginia.gov/division/boi/webpages/boiproducer.htm> or email the Bureau at bureauofinsurance@scc.virginia.gov.

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