

11 NCAC 06A .0418 FINGERPRINTS REQUIRED FOR CRIMINAL RECORD CHECKS

(a) An applicant for a resident insurance producer license shall furnish the Commissioner with a complete set of the applicant's fingerprints as authorized by G.S. 58-33-48. An applicant for an insurance producer license as defined in G.S. 58-33-10(7), includes:

- (1) An applicant for an initial resident insurance producer license;
- (2) A non-resident insurance producer applying for a resident insurance producer license;
- (3) An adjuster applying for an initial resident insurance producer license;
- (4) A resident insurance producer license applicant applying for reinstatement of an insurance producer license that has been lapsed for more than one year; and
- (5) A resident insurance producer license applicant whose license has been suspended or revoked for non-payment of child support pursuant to G.S. 110-142.1.

(b) As authorized by G.S. 58-33-48, fingerprints shall be furnished in the following manner:

- (1) Each resident insurance producer license applicant who is required to submit fingerprints under G.S. 58-33-48 shall have a complete set of their fingerprints electronically captured by a criminal law enforcement agency approved by State Bureau of Investigation (SBI) to submit fingerprints via electronic means;
- (2) Each resident insurance producer license applicant who is required to submit fingerprints under G.S. 58-33-48 shall submit with the insurance producer license application the Electronic Fingerprint Submission Release of Information Form that has been completed and certified by a law enforcement officer that the applicant's fingerprints have been submitted via electronic means to the SBI;
- (3) Each resident insurance producer license applicant who is required to submit fingerprints under G.S. 58-33-48 shall submit with the insurance producer license application the Authority for Release of Information form required by the SBI to release the criminal history record check information to the Department;
- (4) Each resident insurance producer license applicant who is required to submit fingerprints under G.S. 58-33-48 shall submit with the insurance producer license application the cost for the state and national criminal history record fee that is set forth pursuant to G.S. 114-19.1(a); and
- (5) All fingerprint impressions must be suitable for use by the SBI to conduct a state criminal history record check and for the Federal Bureau of Investigations (FBI) to conduct a national criminal history record check. If the SBI deems the electronic fingerprints are not suitable, the Commissioner shall notify and provide instructions to the applicant to resubmit his fingerprints in the manner set forth in Subparagraph (1) of this Paragraph within 30 days.

(c) The application of a resident insurance producer required to submit fingerprints is not be complete until the Commissioner receives the state and national criminal history record information. In accordance with G.S. 58-33-30(a), the Commissioner shall not issue the license of an insurance producer that does not satisfy the license application requirements.

*History Note: Authority G.S. 58-2-40; 58-33-30; 58-33-48;
Eff. October 1, 2010;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. June 25, 2016.*