




LOUISIANA DEPARTMENT OF INSURANCE
J. ROBERT WOOLEY, COMMISSIONER

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NOTICE

TO: All Motor Vehicle Rental Companies

FROM: J. Robert Wooley, Commissioner of Insurance 

DATE: July 14, 2005

RE: Rental Car Limited License

Pursuant to La. R.S. 22:2101-2112 motor vehicle rental companies must be licensed in order to offer or sell insurance in conjunction with the rental of a vehicle.

Attached are copies of the law and Regulation 79 which govern the qualifications and procedures for the limited licensing of motor vehicle rental or leasing companies. Also attached is an application form which must be completed and returned by Thursday, September 1, 2005.

Please contact the Agent Licensing Division at (225) 342-0860 if you have questions.

attachments

RULE

Department of Insurance Office of the Commissioner

Regulation 79• Limited Licensing for Motor Vehicle Rental Companies (LAC 37:XIII.Chapter 103)

Under the authority of the Louisiana Insurance Code, R.S. 22:1 et seq., and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the Department of Insurance hereby adopts Regulation 79 relating to the guidelines for the limited license to be issued to Motor Vehicle Rental Companies. This regulation will become effective upon publication in the April 2005 *Louisiana Register*. This action complies with the statutory law administered by the Department of Insurance.

Title 37

INSURANCE

Part XIII. Regulations

Chapter 103. Regulation 79• Limited Licensing for Motor Vehicle Rental Companies

§10301. Purpose

A. The purpose of this regulation is:

1. to implement the qualifications and procedures for licensing motor vehicle rental or leasing companies to sell or offer insurance in conjunction with the rental of a vehicle;
2. to govern the transactions of selling travel or automobile related products or coverage in conjunction with and incidental to the rental of vehicles.

AUTHORITY NOTE: Promulgated in accordance with R.S.22:3, 22:2112, and the Administrative Procedure Act, R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 31:932 (April 2005).

§10303. Definitions

A. For the purposes of this regulation the following terms shall have the meaning ascribed herein, unless the context clearly indicates otherwise.

Commissioner• the Commissioner of Insurance.

Department• the Department of Insurance.

Detailed Plan of Operation or Plan• a comprehensive overview of the licensee's rental business pursuit in so far as it is regulated by the Department of Insurance. This information will supplement the restricted license application and will be on forms provided by the department.

Limited Licensee• a person or entity authorized to sell certain coverage relating to the rental of vehicles pursuant to the provisions of Part XVII of Chapter 2 of Title 22 of the Louisiana Revised Statutes of 1950.

Part• Part XVII of Chapter 2 of Title 22 of the Louisiana Revised Statutes of 1950, comprised of R.S. 22:2101 through 2112.

Rental Agreement• any written agreement setting forth the terms and conditions governing the use of a vehicle provided by the rental company for rental or lease.

Rental Company• any person or entity in the business of providing primarily private passenger vehicles to the public under a rental agreement for a period not to exceed 90 days.

Rental Period• the term of the rental agreement.

Renter• any person or entity obtaining the use of a vehicle from a rental company under the terms of a rental agreement for a period not to exceed 90 days.

Vehicle or Rental Vehicle• a motor vehicle of the private passenger type including passenger vans, minivans and sport utility vehicles, and of the cargo type including but not limited to cargo vans, pickup trucks and trucks with a gross vehicle weight of less than 26,000 pounds and which do not require the operator to possess a commercial driver's license.

a. Pursuant to R.S. 32:408B, Classes of licenses, this provision includes as a "vehicle" or "rental vehicle" those motor vehicles which require the operator to possess a Class "D" Chauffeur's License.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:3, 22:2112, and the Administrative Procedure Act, R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 31:932 (April 2005).

§10305. Issuance of Limited License - in General

A. Prior to approval, an applicant for a limited license issued to a motor vehicle rental company or franchisee of a motor rental company shall at a minimum:

1. submit an application on forms prescribed by the commissioner;
2. pay the applicable fee required by this Part;
3. provide a detailed plan of operation pursuant to §10307.B of this regulation;
4. provide an insurance sales material disclosure pursuant to §10307.C of this regulation;
5. provide a training program or syllabus and train all employees pursuant to §10307.D of this regulation.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:3, 22:2112, and the Administrative Procedure Act, R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 31:932 (April 2005).

§10307. Limited Licensing; Application, Supplements, Requirements

A. Applicants for a rental company limited license shall apply to the Commissioner of Insurance on forms established by the commissioner. The application may request any information deemed necessary by the commissioner, including but not limited to the following:

1. the applicant's corporate, firm, or other business entity name, the business address and telephone number of the principal place of business and the business address and telephone number of each additional location at which the applicant will transact business under the license;
2. all assumed business names and other names under which the applicant will engage in business under the license;
3. the names of the employees, its agents, members, partners, officers, directors and stockholders of the applicant personally engaged in this state in soliciting or negotiating insurance in conjunction with the rental of a vehicle;
4. a declaration by the applicant that the applicant:
 - a. is competent and trustworthy;
 - b. intends to act in good faith;
 - c. has a good business reputation;
 - d. has the appropriate experience, training or education that qualifies the applicant for the license applied for;

e. has or will train all employees to be involved in the sale, offering, or negotiation of coverage prior to their conducting such activities with members of the public;

5. the application shall be signed by an officer of the applicant.

B. The application for this limited license shall be supplemented by a detailed plan of operation to be submitted on forms prescribed by the commissioner, which shall request information deemed necessary, including but not limited to:

1. name of any appointing insurer(s), if applicable;
2. the lines of business the applicant intends to write;

including:

- a. personal accident insurance;
- b. liability;
- c. personal effects;
- d. roadside assistance;
- e. emergency sickness; or
- f. any other travel or auto related coverage in connection with or incidental to rental transaction;

3. a list of all business locations within Louisiana from which business will be conducted under the license.

C. The application for this limited license shall be supplemented with a copy of the licensee's proposed Insurance Sales Material Disclosure as required by the Louisiana Insurance Code, which at a minimum shall:

1. be received by the department prior to its use and be subject to approval by the department;

2. summarize clearly and correctly, the material terms of coverage offered to renters, including the identity of insurer(s), if applicable;

3. disclose that policies offered by the rental company may provide a duplication of coverage already provided by a renter's personal automobile insurance policy, homeowner's insurance policy, personal liability insurance policy, or other source of coverage;

4. state that purchasing the kinds of coverage specified in this Part is not required when renting a vehicle;

5. describe the claims filing process.

D. The application for this limited license shall be supplemented with a copy of the licensee's proposed training program or syllabus as required by the Louisiana Insurance Code. The training program required by this Part shall:

1. be received by the department prior to its use and be subject to approval by the department;

2. include basic instruction about the kinds of coverage offered under the license;

3. include the following items:

a. renters of vehicles are not required to purchase the coverage offered through the licensee as a condition of renting a vehicle;

b. renters must be informed that coverage offered by the licensee may duplicate existing coverage of the renter and that the renter should consult with his or her insurance producer if the renter has any questions about existing coverage;

c. the rental period of the rental agreement can not exceed 90 consecutive days;

d. claims procedures;

e. the identity of any insurance company providing coverage offered by the licensee;

f. evidence of coverage in the rental agreement must be disclosed to every renter who elects to purchase such coverage;

g. employees of the licensee are not authorized to evaluate a renter's existing coverage.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:3, 22:2112, and the Administrative Procedure Act, R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 31:932 (April 2005).

§10309. Renewals

A. A limited license expires on the last day of the month in which the second anniversary of the initial issuance occurs. Thereafter, the limited license shall expire on the second anniversary following each renewal.

B. Prior to expiration, the licensee shall notify the commissioner of its intention to continue the license on forms provided by the commissioner and shall submit the applicable renewal fee as set forth in this Part. Late filings will be assessed a late fee as authorized by R.S. 22:1078.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:3, 22:2112, and the Administrative Procedure Act, R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 31:933 (April 2005).

§10311. Limitations of License

A. The rental company licensed pursuant to this Part may offer or sell insurance only in connection with and incidental to the rental of vehicles, whether at the rental office or by pre-selection of coverage in a master, corporate, individual, or group rental agreement, in any of the following general categories:

1. personal accident insurance covering the risks of travel including but not limited to accident and health insurance that provides coverage, as applicable, to renters and other rental vehicle occupants for accidental death or dismemberment and reimbursement for medical expenses resulting from an accident that occurs during the rental period;

2. liability insurance that provides coverage, as applicable, to renters and other authorized drivers of rental vehicles for liability arising from the operation of the rental vehicle;

3. personal effects insurance that provides coverage, as applicable, to renters and other vehicle occupants for the loss of or damage to personal effects that occurs during the rental period;

4. roadside assistance and emergency sickness protection programs;

5. any other travel or automobile-related coverage that a rental company offers in connection with and incidental to the rental of vehicles.

B. A limited license issued under this Part shall also authorize any employee of the limited licensee to act individually on behalf, and under the supervision of, the limited licensee with respect to the kinds of coverage specified in this Part.

1. The limited licensee shall keep a list of all persons who are authorized or who are selling insurance as provided herein. The list shall be produced to the commissioner within two weeks of written demand from the commissioner.

C. No limited licensee under this Part shall advertise, represent, or otherwise hold itself or any of its employees or agents out as licensed insurers or insurance producers.

1. The sale of insurance not in conjunction with a rental transaction is prohibited by the provisions of Part XVII of Chapter 2 of Title 22 of the Louisiana Revised Statutes of 1950, §2101 et seq.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:3, 22:2112, and the Administrative Procedure Act, R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 31:933 (April 2005).

§10313. Insurance Charges

A. Notwithstanding any other provision of this Part or any rule adopted by the Commissioner, a limited licensee pursuant to Part XVII of Chapter 2 of Title 22 of the Louisiana Revised Statutes of 1950, §2101 et seq., shall not be required to treat monies collected from renters purchasing such insurance when renting vehicles as funds received in a fiduciary capacity, provided that the charges for coverage shall be itemized and be ancillary to a rental transaction. The sale of insurance not in conjunction with a rental transaction is prohibited by the provisions of this Part.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:3, 22:2112, and the Administrative Procedure Act, R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 31:934 (April 2005).

§10315. Penalties for Violations

A. In the event that any provision of Part XVII of Chapter 2 of Title 22 of the Louisiana Revised Statutes of 1950, §2101 et seq., or other applicable provision of this Title is violated by a limited licensee, the commissioner may revoke, suspend, refuse to renew, or levy a fine not to exceed one thousand dollars for each violation, up to one hundred thousand dollars in the aggregate for all violations in a calendar year per limited licensee, or impose such other penalty as the commissioner may deem necessary or convenient to carry out the purpose of this Part.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:3, 22:2112, and the Administrative Procedure Act, R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 31:934 (April 2005).

§10317. Applicability

A. All limited licensees under Part XVII of Chapter 2 of Title 22 of the Louisiana Revised Statutes of 1950, §2101 et seq shall be subject to all other applicable provisions of this Title unless specifically exempted by Part XVII of Chapter 2 of Title 22 of the Louisiana Revised Statutes of 1950, §2101 et. seq.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:3, 22:2112, and the Administrative Procedure Act, R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Commissioner of Insurance, LR 31:934 (April 2005).

§10319. Severability

A. If any provision or item of this regulation, or the application thereof, is held to be invalid, such invalidity shall not affect other provisions, items, or applications of the regulation, which can be given effect without the invalid provisions, item, or application.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:3, 22:2112, and the Administrative Procedure Act, R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Commissioner of Insurance, LR 31:934 (April 2005).

J. Robert Wooley
Commissioner

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**PART XVII. LIMITED LICENSING FOR MOTOR VEHICLE
RENTAL COMPANIES**

§2101. Purpose

This Part is to govern the qualifications and procedures for the limited licensing of motor vehicle rental or leasing companies to sell or offer insurance in conjunction with the rental of a vehicle as provided in this Part. This Part shall govern the transactions covered in this Part of selling travel or automobile-related products or coverage in connection with and incidental to the rental of vehicles.

Acts 1999, No. 1278, §1, eff. July 12, 1999.

§2102. Definitions

As used in this Part, the following words are defined as follows:

- (1) "Commissioner" shall mean the commissioner of insurance.
- (2) "Department" shall mean the Department of Insurance.
- (3) "Limited licensee" means a person or entity authorized to sell certain coverages relating to the rental of vehicles pursuant to the provisions of this Part.
- (4) "Rental agreement" means any written agreement setting forth the terms and conditions governing the use of a vehicle provided by the rental company for rental or lease.
- (5) "Rental company" means any person or entity in the business of providing primarily private passenger vehicles to the public under a rental agreement for a period not to exceed ninety days.
- (6) "Rental period" means the term of the rental agreement.
- (7) "Renter" means any person obtaining the use of a vehicle from a rental company under the terms of a rental agreement for a period not to exceed ninety days.
- (8) "Vehicle" or "rental vehicle" means a motor vehicle of the private passenger type including passenger vans, minivans, and sport utility vehicles, and of the cargo type including but not limited to cargo vans, pickup trucks and trucks with a gross vehicle weight of less than twenty-six thousand pounds and which do not require the operator to possess a commercial driver's license.

Acts 1999, No. 1278, §1, eff. July 12, 1999.

§2103. Limited licensing; fees

A. The commissioner may issue to a rental company, whether such rental company is a foreign or domestic company, that has complied with the requirements of this Part, a limited license authorizing the limited licensee and its employees to offer or sell insurance in connection with the rental of vehicles.

B. As a prerequisite for issuance of a limited license under this Part, there shall be filed with the commissioner a written application for a limited license along with a five hundred dollar-application fee, signed by an officer of the applicant, in such form or forms, and supplements thereto, and containing such information, as the commissioner may prescribe by rule or regulation. Every limited licensee shall, every two years, notify the commissioner of his intention to continue its license on forms provided by the commissioner and shall submit a renewal fee of two hundred fifty dollars. However, for a licensee who maintains twenty-five or less vehicles, the initial application fee shall be one hundred dollars and the renewal fee shall be fifty dollars.

Acts 1999, No. 1278, §1, eff. July 12, 1999.

§2104. License requirements

Upon the filing of an application and the payment of the license fee, the department shall make an investigation of each applicant and may issue a license if it finds that the applicant complies with all of the following items:

- (1) Has provided a detailed plan of operation.
- (2) Is competent and trustworthy and intends to act in good faith in the capacity involved for which the license is applied.
- (3) Has a good business reputation and has had experience, training, or education so as to be qualified in the business for which the license is applied.
- (4) Meets all other requirements of this Part.

Acts 1999, No. 1278, §1, eff. July 12, 1999.

§2105. Rental vehicle insurance

A. The rental company licensed pursuant to this Part may offer or sell insurance only in connection with and incidental to the rental of vehicles, whether at the rental office or by preselection of coverage in a master, corporate, individual, or group rental agreement, in any of the following general categories:

- (1) Personal accident insurance covering the risks of travel including but not limited to accident and health insurance that provides coverage, as applicable, to renters and other rental vehicle occupants for accidental death or dismemberment and reimbursement for medical expenses resulting from an accident that occurs during the rental period.

(2) Liability insurance that provides coverage, as applicable, to renters and other authorized drivers of rental vehicles for liability arising from the operation of the rental vehicle.

(3) Personal effects insurance that provides coverage, as applicable, to renters and other vehicle occupants for the loss of or damage to personal effects that occurs during the rental period.

(4) Roadside assistance and emergency sickness protection programs.

(5) Any other travel or automobile-related coverage that a rental company offers in connection with and incidental to the rental of vehicles.

B. No insurance may be offered by a limited licensee pursuant to this Part unless all of the following items are satisfied:

(1) The rental period of the rental agreement does not exceed ninety consecutive days.

(2) At every rental location where rental agreements are executed, brochures or other written materials are readily available to the prospective renter that:

(a) Summarize clearly and correctly, the material terms of coverage offered to renters, including the identity of the insurer.

(b) Disclose that these policies offered by the rental company may provide a duplication of coverage already provided by a renter's personal automobile insurance policy, homeowner's insurance policy, personal liability insurance policy, or other source of coverage.

(c) State that the purchase by the renter of the kinds of coverage specified in this Part is not required in order to rent a vehicle.

(d) Describe the process for filing a claim in the event the renter elects to purchase coverage and in the event of a claim.

(3) Evidence of coverage in the rental agreement is disclosed to every renter who elects to purchase such coverage.

Acts 1999, No. 1278, §1, eff. July 12, 1999.

§2106. Authorized employees

A. Any limited license issued under this Part shall also authorize any employee of the limited licensee to act individually on behalf, and under the supervision, of the limited licensee with respect to the kinds of coverage specified in this Part.

B. Each rental company licensed pursuant to this Part shall conduct a training program in which employees being trained shall receive basic instruction about the kinds of coverage specified in this Part and offered for purchase by prospective renters of rental vehicles.

Acts 1999, No. 1278, §1, eff. July 12, 1999.

§2107. Insurance charges

Notwithstanding any other provision of this Part or any rule adopted by the commissioner, a limited licensee pursuant to this Part shall not be required to treat monies collected from renters purchasing such insurance when renting vehicles as funds received in a fiduciary capacity, provided that the charges for coverage shall be itemized and be ancillary to a rental transaction. The sale of insurance not in conjunction with a rental transaction is prohibited by the provisions of this Part.

Acts 1999, No. 1278, §1, eff. July 12, 1999.

§2108. Representations

No limited licensee under this Part shall advertise, represent, or otherwise hold itself or any of its employees or agents out as licensed insurers, insurance agents, or insurance brokers.

Acts 1999, No. 1278, §1, eff. July 12, 1999.

§2109. List of authorized persons

The limited licensee shall keep a list of all persons who are authorized or who are selling insurance as provided in this Part. The list shall be produced to the commissioner within two weeks of written demand from the commissioner.

Acts 1999, No. 1278, §1, eff. July 12, 1999.

§2110. Penalties for violations

In the event that any provision of this Part or other applicable provision of this Title is violated by a limited licensee, the commissioner may revoke, suspend, refuse to renew, or levy a fine not to exceed one thousand dollars for each violation, up to one hundred thousand dollars in the aggregate for all violations in a calendar year per limited licensee, or impose such other penalty as the commissioner may deem necessary or convenient to carry out the purposes of this Part.

Acts 1999, No. 1278, §1, eff. July 12, 1999.

§2111. Applicability of this Part

All limited licensees under this Part shall be subject to all other applicable provisions of this Title unless specifically exempted by this Part.

Acts 1999, No. 1278, §1, eff. July 12, 1999.

R.S. 22§2112. Rules and regulations; promulgated by department

§2112. Rules and regulations; promulgated by department

The commissioner shall issue such rules, regulations, and directives, in accordance with the Administrative Procedure Act to implement the provisions of this Part.

Acts 1999, No. 1278, §1, eff. July 12, 1999.

General Instructions

This packet is designed to assist the individual preparing the application in meeting the requirements of The Louisiana Department of Insurance. The forms and procedures of the application are designed to facilitate our review of the application. Therefore, it is extremely important that all applicants comply fully with the instructions and requirements set forth in this packet.

While our Department staff will be happy to assist you and answer any questions you may have, we ask that you thoroughly review all instructions and forms before contacting us.

- All submittals in association with this application must be sent through the United States Postal Service. Hand delivery is not acceptable and any information arriving in this manner will be returned without review.
- Complete the entire application. Submitting an incomplete application will result in a delay in the processing of the application.
- Do not alter the forms contained in this packet. If you feel the requirements do not apply to your firm, notify us. We will supply the proper form, if appropriate, and/or answer any questions you have about the forms.
- All applications must be typed or printed neatly. Illegible entries or responses will be considered incomplete and may result in the application being returned to the applicant.
- All certified documents required in the application must be dated within ninety (90) days of submittal of the application.
- All certified documents required in the application must be originals.
- Unless otherwise indicated in the forms, all applicants must supply all items requested in this packet. If, for some reason, an item, which would otherwise be required, is not available, a written explanation must be supplied upon submission.

Rental Car Limited License

- ❑ Applicants who maintain more than twenty-five vehicles shall pay an application fee of \$500.00. Applicants who maintain twenty-five or less vehicles shall pay an application fee of \$100.00.
- ❑ We must be notified of any changes in the organization or the information submitted in association with this license application which occur while under review. This includes changes in controlling persons and changes in address or domicile. Failure to notify us of such changes may result in rejection of the registration.

All communications should be directed to:

The Louisiana Department of Insurance
Producer Licensing Division
Post Office Box 94214
Baton Rouge, LA 70804-9214
Phone (225) 342-0860
Fax (225) 342-3078

LOUISIANA DEPARTMENT OF INSURANCE

Application for Resident or Non-Resident

Rental Car Limited License

(Please Print or Type)

| | | | |
|--|--|--------------------------------|-----------------------------|
| ① Name of Rental Car Company | | | |
| ② Trade Name | | ③ Federal Tax Identification # | |
| ④ Business Address (Do Not List a Post Office Box) | | ⑤ City | ⑥ State |
| ⑧ Phone Number () - | | ⑨ Fax Number () - | ⑦ Zip Code |
| ⑧ Phone Number () - | | ⑩ Business E-Mail Address | ⑪ Business Web Site Address |
| ⑫ Mailing Address | | ⑬ P.O. Box | ⑭ City |
| ⑫ Mailing Address | | ⑬ P.O. Box | ⑮ State |
| ⑫ Mailing Address | | ⑬ P.O. Box | ⑯ Zip Code |

Owners, Partners, Officers and Directors

⑰ Identify all owners, partners, officers and directors of the business entity:

| | | | |
|------------|-------------|-----------------|---------------------------|
| Name _____ | Title _____ | License # _____ | SSN _____ - _____ - _____ |
| Name _____ | Title _____ | License # _____ | SSN _____ - _____ - _____ |
| Name _____ | Title _____ | License # _____ | SSN _____ - _____ - _____ |
| Name _____ | Title _____ | License # _____ | SSN _____ - _____ - _____ |
| Name _____ | Title _____ | License # _____ | SSN _____ - _____ - _____ |

Plan of Operation

⑱ a. List the full name(s) of insurer(s), who will issue the policy or policies to the rental car licensee for the lines of business you intend to offer. Attach additional sheets as needed.

b. Indicate which of the following lines of business you intend to offer or sell:

Personal Accident Personal Effects Emergency Sickness Other _____

Liability Roadside Assistance

c. Pursuant to R.S. 22:2105 B, no insurance may be offered by a limited license unless the following information is readily available to the prospective renter in the form of a brochure or other type of written material at every rental location where rental agreements are executed:

- The rental period of the rental agreement does not exceed ninety consecutive days;
- The material terms of coverage offered to renters, including the identity of the insurer summarized clearly and correctly;
- Disclosure that the policies offered by the rental car company may provide a duplication of coverage already provided by the renter's personal automobile insurance policy, homeowner's insurance policy, personal liability insurance policy or other source;
- The purchase by the renter of the kinds of coverage specified in the section above is not required in order to rent a vehicle;
- Evidence of coverage in the rental agreement is disclosed to every renter who elects to purchase such coverage.

Attach a copy of the brochure or other written material offered by your organization which provides the above information.

d. Describe the process for filing a claim in the event the renter elects to purchase coverage and in the event of a claim:

e. Rental car licensees are required pursuant to R.S. 22:2106 B to conduct a training program to their employees. Employees shall receive basic instruction about the kinds of coverage specified in the above section and offered for purchase by prospective renters of rental vehicles. Attach a copy of the training program syllabus or other written material used by your organization to provide the above information.

f. List below all business locations (including rental company offices or other rental sites) in Louisiana from which business will be conducted under this license. Attach additional sheets as needed.

Street Address _____ City _____ State _____ Zip Code _____

Telephone # _____ LMVC License # & Expiration Date _____

Street Address _____ City _____ State _____ Zip Code _____

Telephone # _____ LMVC License # & Expiration Date _____

g. In order to confirm that you are licensed and in good standing with the Louisiana Motor Vehicle Commission, please attach a copy of your current license issued by their office for each location listed above.

| | | | |
|-----------------|-----------------|--------------------------------------|--|
| Fiscal Division | Agent Licensing | FOR DEPARTMENT OF INSURANCE USE ONLY | |
| | | Classification Number | |
| | | Initials | |
| | | License Number | |
| | | Issue Date | |

Background Information

19 Please read the following very carefully and answer every question:

1. Has the business entity or any owner, partner, officer or director ever been convicted of, or is the business entity or any owner, partner, officer or director currently charged with, committing a crime, whether or not adjudication was withheld? Yes ___ No ___

“Crime” includes a misdemeanor, felony or a military offense. You may exclude misdemeanor traffic citations and juvenile offenses. “Convicted” includes, but is not limited to, having been found guilty by verdict of a judge or jury, having entered a plea of guilty or nolo contendere, or having been given probation, a suspended sentence or a fine.

If you answer yes, you must attach to this application:

- a) a written statement explaining the circumstances of each incident,
- b) a copy of the charging document, and
- c) a copy of the official document which demonstrates the resolution of the charges or any final judgment.

2. Has the business entity or any owner, partner, officer or director ever been involved in an administrative proceeding regarding any professional or occupational license? Yes ___ No ___

“Involved” means having a license censured, suspended, revoked, canceled, terminated; or, being assessed a fine, placed on probation or surrendering a license to resolve an administrative action. “Involved” also means being named as a party to an administrative or arbitration proceeding which is related to a professional or occupational license. “Involved” also means having a license application denied or the act of withdrawing an application to avoid a denial. You may exclude terminations due solely to noncompliance with continuing education requirements or failure to pay a renewal fee.

If you answer yes, you must attach to this application:

- a) a written statement identifying the type of license and explaining the circumstances of each incident,
- b) a copy of the Notice of Hearing or other document that states the charges and allegations, and
- c) a copy of the official document which demonstrates the resolution of the charges or any final judgment.

3. Has any demand been made or judgment rendered against the business entity or any owner, partner, officer or director for overdue monies by an insurer, insured or producer, or have you been subject to a bankruptcy proceeding within the past ten (10) years? Yes ___ No ___

If you answer yes, submit a statement summarizing the details of the indebtedness and arrangements for repayment.

4. Has the business entity or any owner, partner, officer or director ever been notified by any jurisdiction to which you are applying of any delinquent tax obligation that is not the subject of a repayment agreement? Yes ___ No ___

If you answer yes, identify the jurisdiction(s): _____

5. Is the business entity or any owner, partner, officer or director a party to, or ever been found liable in any lawsuit or arbitration proceeding involving allegations of fraud, misappropriation or conversion of funds, misrepresentation or breach of fiduciary duty? Yes ___ No ___

If you answer yes, you must attach to this application:

- a) a written statement summarizing the details of each incident,
- b) a copy of the Petition, Complaint or other document that commenced the lawsuit or arbitration, and
- c) a copy of the official document which demonstrates the resolution of the charges or any final judgment.

6. Has the business entity or any owner, partner, officer or director ever had an insurance agency contract or any other business relationship with an insurance company terminated for any alleged misconduct? Yes ___ No ___

If you answer yes, you must attach to this application:

- a) a written statement summarizing the details of each incident and explaining why you feel this incident should not prevent you from receiving an insurance license, and
- b) copies of all relevant documents.

All Applicants Must Complete Certification and Attestation

20 The undersigned owner, partner, officer or director of the business entity hereby certifies, under penalty of perjury, that:

1. I am authorized to file this application to operate as a motor vehicle rental company in the state of Louisiana.
2. The rental car company or any other person acting on its behalf will comply with all requirements of statutes and regulations of the Department of Insurance.
3. The rental car company has filed the appropriate plan of operation with the Department of Insurance.
4. The rental car company is competent and trustworthy and intends to act in good faith in the capacity involved for which the license is applied and has a good business reputation and has had experience, training, or education so as to be qualified in the business for which the license is applied.
5. Every owner, partner, officer or director of the business entity either a) does not have a current child-support obligation, or b) has a child-support obligation and is currently in compliance with that obligation.
6. Where required by law, the applicant hereby designates the Commissioner, Director or Superintendent of Insurance, or an appropriate representative in each jurisdiction for which this application is made, to be its agent for service of process regarding all insurance matters in the respective jurisdiction and agrees that service upon the Commissioner or Director of that jurisdiction is of the same legal force and validity as personal service upon the applicant.
7. The information in this application is complete and accurate to the best of my knowledge.

Month Day Year

Signature of Licensed Officer

Typed or Printed Name of Licensed Officer

Title

Social Security Number

Address

City State Zip