

304.9-475 Travel insurance offered by travel retailer on behalf of limited lines travel insurance producer -- Requirements.

- (1) For the purposes of this section and KRS 304.9-080:
 - (a) "Limited lines travel insurance producer" means a:
 1. Licensed managing general agent as defined by KRS 304.9-085(1);
 2. Licensed agent as defined by KRS 304.9-020(1); or
 3. Limited lines travel insurance agent licensed pursuant to KRS 304.9-230(1);designated by the insurer as the travel insurance supervising entity;
 - (b) "Offering and disseminating" means providing general information relating to the travel insurance offered, including a description of the coverage and price; receiving applications and premiums; and performing other activities permitted by the department which do not require a license; and
 - (c) "Travel retailer" means an entity that makes, arranges, or offers travel services and may offer and disseminate travel insurance as a service to its customers on behalf of and under the direction of a limited lines travel insurance producer.
- (2) A travel retailer may offer and disseminate travel insurance on behalf of and under the control of a limited lines travel insurance producer only if the limited lines travel insurance producer complies with the following:
 - (a) The limited lines travel insurance producer is clearly identified, including the entity's name and contact information, on marketing materials and fulfillment packages distributed by travel retailers to customers;
 - (b) At the time of licensure, the limited lines travel insurance producer shall establish and maintain a register on a form prescribed by the commissioner of each travel retailer that offers travel insurance on the limited lines travel insurance producer's behalf. The register shall be maintained and updated annually by the limited lines travel insurance producer and shall include the name, address, contact information, and Federal Employment Identification Number of the travel retailer and the name, address, and contact information of any officer or person employed by the travel retailer who directs or controls the travel retailer's operations. The limited lines travel insurance producer shall submit the register upon request from the commissioner. The limited lines travel insurance producer shall also certify that it complies with 18 U.S.C. sec. 1033;
 - (c) The limited lines travel insurance producer has designated one (1) of its employees as a licensed individual responsible for the business entity's compliance with the travel insurance laws, rules, and regulations of the state; and
 - (d) The limited lines travel insurance producer requires each employee of the travel retailer whose duties include offering and disseminating travel insurance to receive a program of instruction or training, which may be subject to review by the commissioner. The training material shall, at a minimum, contain instructions on the types of insurance offered, ethical

sales practices, and required disclosures to prospective customers.

- (3) Notwithstanding KRS 304.9-421 and 304.9-425, a travel retailer, including its employees, whose activities relating to insurance are limited to offering and disseminating travel insurance on behalf of and under the direction of a limited lines travel insurance producer meeting the conditions as set forth in this section may offer and disseminate travel insurance.
- (4) As the insurer's designee, the limited lines travel insurance producer is responsible for the acts of the travel retailer.

Effective: July 12, 2012

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