

§1420-K. License denial, nonrenewal or revocation

1. Causes. The superintendent may place on probation, suspend, revoke or refuse to issue or renew an insurance producer's license or may levy a civil penalty in accordance with section 12-A or take any combination of such actions, for any one or more of the following causes:

- A. Providing incorrect, misleading, incomplete or materially untrue information in the license application; [PL 2001, c. 259, §24 (NEW).]
- B. Violating any insurance laws, or violating any rule, regulation, subpoena or order of the superintendent or of another state's insurance commissioner; [PL 2001, c. 259, §24 (NEW).]
- C. Obtaining or attempting to obtain a license through misrepresentation or fraud; [PL 2001, c. 259, §24 (NEW).]
- D. Improperly withholding, misappropriating or converting any money or properties received in the course of doing insurance business; [PL 2001, c. 259, §24 (NEW).]
- E. Intentionally misrepresenting the terms of an actual or proposed insurance contract or application for insurance; [PL 2001, c. 259, §24 (NEW).]
- F. Having been convicted of a criminal offense as provided in Title 5, section 5301. Any revocation, suspension or denial of license under this paragraph must be in accordance with Title 5, sections 5302 to 5304; [PL 2001, c. 259, §24 (NEW).]
- G. Having admitted to or been found to have committed any insurance unfair trade practice or fraud; [PL 2001, c. 259, §24 (NEW).]
- H. Using fraudulent, coercive or dishonest practices, or demonstrating incompetence, untrustworthiness or financial irresponsibility in the conduct of business in this State or elsewhere; [PL 2001, c. 259, §24 (NEW).]
- I. Having an insurance producer license, or its equivalent, denied, suspended or revoked in any other state, province, district or territory; [PL 2001, c. 259, §24 (NEW).]
- J. Forging another's name to an application for insurance or to any document related to an insurance transaction; [PL 2001, c. 259, §24 (NEW).]
- K. Improperly using notes or any other reference material to complete an examination for an insurance license; [PL 2001, c. 259, §24 (NEW).]
- L. Knowingly accepting insurance business from an individual who is not licensed; [PL 2001, c. 259, §24 (NEW).]
- M. Failing to comply with an administrative or court order imposing a child support obligation; or [PL 2001, c. 259, §24 (NEW).]
- N. Failing to pay state income tax or comply with any administrative or court order directing payment of state income tax. [PL 2001, c. 259, §24 (NEW).]
[PL 2001, c. 259, §24 (NEW).]

2. Notification. If the superintendent does not renew or denies an application for a license, the superintendent shall notify the applicant or licensee and advise, in writing, the applicant or licensee of the reason for the denial or nonrenewal of the applicant's or licensee's license. The applicant or licensee may make written demand upon the superintendent within 30 days for a hearing before the superintendent to determine the reasonableness of the superintendent's action. The hearing must be held within 30 days of that written demand and pursuant to section 229.
[PL 2001, c. 259, §24 (NEW).]

3. Effect on business entity. The license of a business entity may be suspended, revoked or refused if the superintendent finds, after hearing, that an individual licensee's violation was known or

should have been known by one or more of the partners, officers or managers acting on behalf of the partnership or corporation and the violation was neither reported to the superintendent nor corrected.
[PL 2001, c. 259, §24 (NEW).]

4. Civil penalties. In addition to or in lieu of any applicable denial, suspension or revocation of a license, a person may, after hearing, be subject to a civil penalty according to section 12-A.
[PL 2001, c. 259, §24 (NEW).]

5. Enforcement powers. The superintendent retains the authority to enforce the provisions of and impose any penalty or remedy authorized by this Title, Title 24 or any other law enforced by the superintendent against any person who is under investigation for or charged with a violation of this Title, Title 24 or any other law enforced by the superintendent, even if the person's license has been surrendered or has lapsed by operation of law.
[PL 2001, c. 259, §24 (NEW).]

SECTION HISTORY

PL 2001, c. 259, §24 (NEW).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the First Regular and First Special Session of the 131st Maine Legislature and is current through November 1, 2023. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.