

Effective 5/13/2014

31A-26-206 Continuing education requirements.

- (1) Pursuant to this section, the commissioner shall by rule prescribe continuing education requirements for each class of license under Section 31A-26-204.
- (2)
 - (a) The commissioner shall impose continuing education requirements in accordance with a two-year licensing period in which the licensee meets the requirements of this Subsection (2).
 - (b)
 - (i) Except as otherwise provided in this section, the continuing education requirements shall require:
 - (A) that a licensee complete 24 credit hours of continuing education for every two-year licensing period;
 - (B) that 3 of the 24 credit hours described in Subsection (2)(b)(i)(A) be ethics courses; and
 - (C) that the licensee complete at least half of the required hours through classroom hours of insurance-related instruction.
 - (ii) A continuing education hour completed in accordance with Subsection (2)(b)(i) may be obtained through:
 - (A) classroom attendance;
 - (B) home study;
 - (C) watching a video recording;
 - (D) experience credit; or
 - (E) other methods provided by rule.
 - (iii) Notwithstanding Subsections (2)(b)(i)(A) and (B), a title insurance adjuster is required to complete 12 credit hours of continuing education for every two-year licensing period, with 3 of the credit hours being ethics courses.
 - (c) A licensee may obtain continuing education hours at any time during the two-year licensing period.
 - (d)
 - (i) A licensee is exempt from the continuing education requirements of this section if:
 - (A) the licensee was first licensed before December 31, 1982;
 - (B) the license does not have a continuous lapse for a period of more than one year, except for a license for which the licensee has had an exemption approved before May 11, 2011;
 - (C) the licensee requests an exemption from the department; and
 - (D) the department approves the exemption.
 - (ii) If the department approves the exemption under Subsection (2)(d)(i), the licensee is not required to apply again for the exemption.
 - (e) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the commissioner shall by rule:
 - (i) publish a list of insurance professional designations whose continuing education requirements can be used to meet the requirements for continuing education under Subsection (2)(b); and
 - (ii) authorize a professional adjuster association to:
 - (A) offer a qualified program for a classification of license on a geographically accessible basis; and
 - (B) collect a reasonable fee for funding and administration of a qualified program, subject to the review and approval of the commissioner.
 - (f)

- (i) A fee permitted under Subsection (2)(e)(ii)(B) that is charged to fund and administer a qualified program shall reasonably relate to the cost of administering the qualified program.
 - (ii) Nothing in this section shall prohibit a provider of a continuing education program or course from charging a fee for attendance at a course offered for continuing education credit.
 - (iii) A fee permitted under Subsection (2)(e)(ii)(B) that is charged for attendance at an association program may be less for an association member, on the basis of the member's affiliation expense, but shall preserve the right of a nonmember to attend without affiliation.
- (3) The continuing education requirements of this section apply only to a licensee who is an individual.
 - (4) The continuing education requirements of this section do not apply to a member of the Utah State Bar.
 - (5) The commissioner shall designate a course that satisfies the requirements of this section, including a course presented by an insurer.
 - (6) A nonresident adjuster is considered to have satisfied this state's continuing education requirements if:
 - (a) the nonresident adjuster satisfies the nonresident producer's home state's continuing education requirements for a licensed insurance adjuster; and
 - (b) on the same basis the nonresident adjuster's home state considers satisfaction of Utah's continuing education requirements for a producer as satisfying the continuing education requirements of the home state.
 - (7) A licensee subject to this section shall keep documentation of completing the continuing education requirements of this section for two years after the end of the two-year licensing period to which the continuing education requirement applies.

Amended by Chapter 290, 2014 General Session

Amended by Chapter 300, 2014 General Session