

**R592. Insurance, Title and Escrow Commission.**

**R592-7. Title Insurance Continuing Education.**

**R592-7-1. Authority.**

This rule is promulgated pursuant to Subsection 31A-2-404(2) (a)(iii), which directs the Title and Escrow Commission to make rules for the administration of the provisions related to continuing education courses related to a title licensee.

**R592-7-2. Purpose and Scope.**

(1) The purposes of this rule are to:

(a) adopt continuing education requirements for the approval of a continuing education course under 31A-2-404(2) (a) (iii);

(b) delegate authority from the Commission to the commissioner to approve a continuing education course related to a title licensee; and

(c) exempt a title licensee from the provisions of R590-142-4(2) (c).

(2) This rule applies to:

(a) a title licensee;

(b) an unlicensed individual authorized to do business as a title licensee; and

(d) a continuing education course related to title insurance.

(3) This rule does not apply to an individual who is considered to have met the continuing education requirements pursuant to Subsection 31A-23a-202(3) (b) (iii) (C).

**R592-7-3. Definitions.**

The following definitions shall apply for the purpose of this rule.

(1) "Commission" means the Title and Escrow Commission as created under Subsection 31A-2-403(1) (a).

(2) "Continuing education course" means a continuing education course related to title insurance.

(3) "Title licensee" has the same meaning as found in Subsection 31A-2-402(6).

**R592-7-4. Continuing Education Course and Approval.**

(1) The Commission hereby delegates to the commissioner the authority to approve a continuing education course under Subsection 31A-2-404(2) (e).

(2) The commissioner shall rely on the requirements of R590-142, Continuing Education Rule, for the consideration of a request for a continuing education course approval.

(3) When the commissioner approves a continuing education course, the course:

(a) is deemed approved by the Commission and has concurrence

of the commissioner under Subsection 31A-2-404(2)(e) and this Subsection (1); and

(b) will be added to the Department's approved course list.

(4) The commissioner shall provide a report to the Commission on a quarterly basis listing new continuing education courses approved pursuant to this section.

(5) If the commissioner disapproves a continuing education course, the commissioner shall:

(a) remove the course from the Department's approved course list; and

(b) notify the course provider of the disapproved course.

#### **R592-7-5. Course Submission.**

A continuing education provider shall submit to the commissioner a request for approval of a continuing education course in accordance with Section 31A-23a-202 and R590-142.

#### **R592-7-6. Licensee Course Requirements.**

(1) The continuing education credit hours required for the renewal of a title insurance producer license pursuant to Subsections 31A-23a-202(3)(b)(iii)(A) and (B), may only be fulfilled through an approved course that is:

(a) related to title insurance, escrow, real estate, or ethics; and

(b) categorized by the commissioner as:

(i) title;

(ii) title ethics; or

(iii) ethics.

(2)(a) The restrictions set forth in R590-142-4(2)(c) shall not apply to a title licensee.

(b) A title licensee may obtain all required credit hours through one or more insurers.

#### **R592-7-7. Penalties.**

A person found, after a hearing or other regulatory process, to be in violation of this rule shall be subject to penalties as provided under Section 31A-2-308.

#### **R592-7-8. Enforcement Date.**

The commissioner will begin enforcing this rule upon the rule's effective date.

#### **R592-7-9. Severability.**

If any provision of this rule or its application to any person or situation is held to be invalid, such invalidity shall not affect any other provision or application of this rule which can be given effect without the invalid provision or application,

and to this end the provisions of this rule are declared to be severable.

**KEY: title insurance continuing education**

**Date of Enactment or Last Substantive Amendment: July 30, 2018**

**Notice of Continuation: June 10, 2019**

**Authorizing, and Implemented or Interpreted Law: 31A-2-308; 31A-2-402; 31A-2-404; 31A-23a-202**