

§7054. Requirements

A travel retailer is authorized to offer and disseminate travel insurance on behalf of and under the authority of a supervising travel insurance producer if the following requirements are met. [PL 2015, c. 133, §4 (NEW).]

1. Disclosure. The supervising travel insurance producer or travel retailer shall provide to purchasers of travel insurance brochures or other written materials that have been approved by the issuing insurer and include:

A. A description of the material terms of the insurance coverage including:

- (1) The identity and contact information of the insurer, supervising travel insurance producer and designated responsible producer;
- (2) The amount of any applicable deductible and how it is to be paid;
- (3) The benefits of the coverage; and
- (4) Key terms and conditions of coverage; [PL 2015, c. 133, §4 (NEW).]

B. An explanation that the purchase of travel insurance is not required in order to purchase any other product or service from the travel retailer; [PL 2015, c. 133, §4 (NEW).]

C. An explanation that a travel retailer that is not licensed as an insurance producer is only permitted to provide general information about the insurance offered by the supervising travel insurance producer or insurer, including a description of the coverage and price, but is not qualified or authorized to answer technical questions about the terms and conditions of the insurance offered by the travel retailer or to evaluate the adequacy of the customer's existing insurance coverage; [PL 2015, c. 133, §4 (NEW).]

D. A description of the process for filing a claim; and [PL 2015, c. 133, §4 (NEW).]

E. A description of the review or cancellation process for the travel insurance policy. [PL 2015, c. 133, §4 (NEW).]

[PL 2021, c. 354, §9 (AMD).]

2. Registry of travel retailers; grounds for suspension and revocation; penalties. The supervising travel insurance producer shall establish and update a register on a form prescribed by the superintendent of each travel retailer that offers travel insurance on the supervising travel insurance producer's behalf. The register must include the name, address and contact information of the travel retailer and an officer or person who directs or controls the travel retailer's operations and the travel retailer's federal employer identification number. The supervising travel insurance producer shall submit the register to the superintendent upon request. The supervising travel insurance producer shall certify that the registered travel retailer complies with 18 United States Code, Section 1033. The grounds for suspension and revocation and the penalties applicable to insurance producers under section 1420-K are applicable to supervising travel insurance producers and travel retailers.

[PL 2021, c. 354, §10 (AMD).]

3. Designated responsible producer. The supervising travel insurance producer shall designate one of its employees who is a licensed insurance producer under chapter 16, subchapter 2-A as the designated responsible producer.

[PL 2015, c. 133, §4 (NEW).]

4. License continuation or termination. Each supervising travel insurance producer license issued under this chapter is subject to section 1416-A.

[PL 2015, c. 133, §4 (NEW).]

5. Fees. The supervising travel insurance producer shall pay all applicable insurance producer licensing fees as set forth in section 601, subsection 31.

[PL 2015, c. 133, §4 (NEW).]

6. Training. The supervising travel insurance producer shall require 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 and approval by the superintendent. The training material must, at a minimum, contain instructions on the types of insurance offered, ethical sales practices and required brochures or other written materials provided to prospective customers.

[PL 2021, c. 354, §11 (AMD).]

7. Notice to the superintendent. Any business entity acting as a supervising travel insurance producer without being specifically licensed as such in accordance with section 7053, subsection 1 shall provide notice to the superintendent of the following:

A. The fact that the business entity is acting as a supervising travel insurance producer; [PL 2021, c. 354, §12 (NEW).]

B. The identity of any travel retailers that offer travel insurance on the business entity's behalf in accordance with subsection 2; and [PL 2021, c. 354, §12 (NEW).]

C. The name and license number of the business entity's designated responsible producer. [PL 2021, c. 354, §12 (NEW).]

The notice required by this subsection must be provided within 30 days of the commencement of the business entity's supervising travel insurance producer activities in the State on a form required by the superintendent.

[PL 2021, c. 354, §12 (NEW).]

SECTION HISTORY

PL 2015, c. 133, §4 (NEW). PL 2021, c. 354, §§9-12 (AMD).

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.