

**NOTICE OF PROPOSED RULEMAKING**

**NOTICE IS HEREBY GIVEN** that the Superintendent of Insurance (Superintendent), proceeding pursuant to the Insurance Code, Section 59A-30-4 et seq. NMSA 1978 (“Insurance Code”) proposes amendments of 13.14.1, 13.4.3, 13.14.6, 13.14.7, 13.14.9, and 13.1410 NMAC, TITLE INSURANCE.

**PURPOSE OF THE PROPOSED AMENDMENTS:** To set by order entered in the biennial rate case conducted pursuant to NMSA 1978, Section 59A-30-8(A), all title rates and fees that are subject to periodic adjustment, rather than require a companion biennial rulemaking to set the title rates and fees.

**SUMMARY OF THE PROPOSED RULE:** The proposed rule amendments remove from current rules those provisions that establish rates and fees that are subject to adjustment during the biennial rate case conducted pursuant to NMSA 1978, Section 59A-30-8(A).

**STATUTORY AUTHORITY:** Section 59A-2-8 NMSA 1978, Section 59A-2-9 NMSA 1978, Section 59A-16-17 NMSA 1978, Section 59A-30-4 NMSA 1978, Section 59A-30-7 NMSA 1978 and Section 59A-30-8 NMSA 1978.

Copies of the Notice of Proposed Rulemaking and proposed amended rules are available by electronic download from the OSI website (<https://www.osi.state.nm.us/MiscPages/osilegal.aspx>) or the New Mexico Sunshine portal, or by requesting a copy in person at the NM Office of Superintendent of Insurance, 1120 Paseo de Peralta, Santa Fe, NM 87501.

OSI will hold a public hearing on the proposed rule amendments on November 4, 2019 at 10:00 a.m. at the State Capitol Building, 3<sup>rd</sup> Floor Room 321, 490 Old Santa Fe Trail, Santa Fe, NM 87501. The Superintendent designates R. Alfred Walker to act as the hearing officer for this rulemaking. Oral comments will be accepted at the public hearing from members of the public and any interested parties. Any updates concerning the hearing date, time, or location will be available by subscribing to the “Title Rates & Rules” newsletter at: <https://newsletter.osi.state.nm.us/>

Written comments will be accepted through 4:00 pm on Friday, October 25, 2019. Responses to written comments or oral comments will be accepted through 4:00 pm on November 15, 2019. Comments may be submitted via email to [Mariano.romero@state.nm.us](mailto:Mariano.romero@state.nm.us) or may be filed by sending original copies to:

OSI Records and Docketing, NM Office of Superintendent of Insurance  
Attention: Mariano Romero, Room 331  
1120 Paseo de Peralta, P.O. Box 1689, Santa Fe, NM 87504-1689

**Docket No.: 19-00031-RULE-PC**

**IN THE MATTER OF ADOPTION OF AMENDMENTS TO THE TITLE INSURANCE REGULATIONS  
CODIFIED AT TITLE 13, CHAPTER 14 NMAC**

Only signed statements, proposals or comments will be accepted. Scanned or facsimile signatures or electronic signatures conforming to federal and state court requirements will be accepted with the understanding that if there is any dispute regarding a signature, OSI reserves the right to require that original signatures be provided to verify the electronic or facsimile signature. All filings must be received between the hours of 8:00 a.m. and 4:00 p.m. Monday through Friday except on state holidays. Any filings after 4:00 will be filed to the docket the next business day.

**SPECIAL NEEDS:** Any person with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or other auxiliary aid or service to attend or participate in the hearing should contact Melissa Martinez at 505-476-0333 ten (10) business days prior to the hearing.

The Superintendent will consider all oral comments, and will review all timely submitted written comments and responses.

DONE AND ORDERED this 24th day of September 2019  
/S/JOHN G. FRANCHINI