

This rule was filed as 13 NMAC 1.1.

**TITLE 13        INSURANCE**  
**CHAPTER 1     INSURANCE GENERAL PROVISIONS**  
**PART 1        ADMINISTRATIVE PROVISIONS**

**13.1.1.1        ISSUING AGENCY:** New Mexico State Corporation Commission [Public Regulation Commission], Department of Insurance, Post Office Box 1269, Santa Fe, NM 87504-1269.  
[7/1/97; Recompiled 11/30/01]

**13.1.1.2        SCOPE:** This rule applies to all rules adopted by the superintendent of insurance as parts of Title 13 of the New Mexico Administrative Code.  
[7/1/97; Recompiled 11/30/01]

**13.1.1.3        STATUTORY AUTHORITY:** Section 59A-2-9 NMSA 1978.  
[7/1/97; Recompiled 11/30/01]

**13.1.1.4        DURATION:** Permanent.  
[7/1/97; Recompiled 11/30/01]

**13.1.1.5        EFFECTIVE DATE:** July 1, 1997, unless a later date is cited at the end of a section or paragraph.  
[7/1/97; Recompiled 11/30/01]  
[Compiler's note: The words *or paragraph*, above, are no longer applicable. Later dates are now cited only at the end of sections, in the history notes appearing in brackets.]

**13.1.1.6        OBJECTIVE:** The purpose of this rule is to set forth provisions that apply to all rules adopted by the superintendent of insurance.  
[7/1/97; Recompiled 11/30/01]

**13.1.1.7        DEFINITIONS:** As used throughout Title 13, the following terms have the following meanings:

- A.        "Department"** means the department of insurance of the state corporation commission or its successor.
- B.        "Insurance code"** has the meaning given in Section 59A-1-3 NMSA 1978.
- C.        "Insurer"** has the meaning given in Section 59A-1-8 NMSA 1978 and includes any entity whose acceptance of risk subjects it to the Insurance Code, unless a different definition is given in a specific rule.
- D.        "Person"** has the meaning given in Section 59A-1-10 NMSA 1978.
- E.        "State"** has the meaning given in Section 59A-1-11 NMSA 1978.
- F.        "Superintendent"** has the meaning given in Section 59A-1-12 NMSA 1978.

[7/1/97; Recompiled 11/30/01]

**13.1.1.8        REFERENCES TO OTHER DOCUMENTS:** When a rule issued by the superintendent relating to insurance refers to another rule, regulation, statute, or other document, the reference, unless stated specifically to the contrary, is continuous and intended to refer to all amendments of the rule, regulation, statute, or document.  
[7/1/97; Recompiled 11/30/01]

**13.1.1.9        INTERPRETATION OF TERMS:** Unless the context otherwise requires:

- A.        Singular/plural:** Words used in the singular include the plural; words used in the plural include the singular;
- B.        Gender:** Words used in the neuter gender include the masculine and the feminine. The personal pronoun in either gender may be used in these rules to refer to any person, firm or corporation.
- C.        Permissive/mandatory:** May is permissive; shall and must are mandatory.

[7/1/97; Recompiled 11/30/01]

**13.1.1.10 USE OF DEPARTMENT-PRESCRIBED FORMS:** The department has prescribed forms to carry out certain requirements of these rules. Department-prescribed forms must be used when a form exists for the purpose, unless these rules state otherwise or the superintendent waives this requirement. The superintendent will accept filings made on photocopies of department forms, provided they are legible.  
[7/1/97; Recompiled 11/30/01]

**13.1.1.11 ADDRESS FOR FILING DOCUMENTS:**

**A. By mail:** Superintendent of Insurance, P.O. Box 1269, Santa Fe, NM 87504-1269  
**B. In person:** New Mexico State Corporation Commission [Public Regulation Commission], Department of Insurance, Office of the Chief Clerk, P.E.R.A. Building, 1120 Paseo de Peralta, at the corner of Old Santa Fe Trail, Santa Fe, New Mexico.  
[7/1/97; Recompiled 11/30/01]

**13.1.1.12 SEVERABILITY:** If any provision of any rule in Title 13 adopted by the superintendent of insurance, or the application of any provision to any person or circumstance, is for any reason held to be invalid, the remainder of the rule and the application of the provision to other persons or circumstances shall not be affected thereby.  
[7/1/97; Recompiled 11/30/01]

**HISTORY OF 13.1.1 NMAC:**

Pre-NMAC History: The subject matter of this rule was originally filed with the State Records Center as: ID 67-1, Sections 2-1-1 through 2-1-8, New Mexico Official Administrative Rules and Regulations Code, filed 12/1/67.

History of Repealed Material: [RESERVED]