

This rule was filed as 13 NMAC 1.2.

**TITLE 13       INSURANCE**  
**CHAPTER 1     INSURANCE GENERAL PROVISIONS**  
**PART 2         INSURANCE BULLETINS**

**13.1.2.1       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]

**13.1.2.2       SCOPE:** This rule applies to all insurers and insurance professionals in New Mexico.  
[7/1/97; Recompiled 11/30/01]

**13.1.2.3       STATUTORY AUTHORITY:** Sections 59A-2-8, 59A-2-10 and 59A-4-3 NMSA 1978.  
[7/1/97; Recompiled 11/30/01]

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

**13.1.2.5       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Compiler's note: The words *or paragraph*, above, are no longer applicable.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.]

**13.1.2.6       OBJECTIVE:** The purpose of this rule is to establish a procedure for the superintendent to request information pursuant to a provision of the insurance code or of a rule adopted by the department, to publish general notice of requirements under the law, and to issue orders generally applicable to large numbers of insurers.  
[7/1/97; Recompiled 11/30/01]

**13.1.2.7       DEFINITIONS:** A "**bulletin**" is a statement, inquiry, or order of broad or general interest or application that does not in itself create new law but which may require certain actions to be performed under existing law.  
[7/1/97; Recompiled 11/30/01]

**13.1.2.8       USE OF BULLETINS:**

A. The superintendent may issue bulletins requiring any person or company subject to regulation by the department:

- (1) to comply with requests from the superintendent to provide information useful in the lawful enforcement or administration of any provision of a rule adopted by the department or of the Insurance Code;
- (2) to respond to an inquiry from the superintendent with respect to any transaction or matter within the scope of the superintendent's supervision;
- (3) to comply with an order requiring that certain actions be performed.

B. The superintendent may issue bulletins:

- (1) indicating his understanding of the meaning of a statute or rule;
- (2) indicating his understanding of the applicability of a statute or rule;
- (3) providing an explanation of how a statute or rule is to be administered in practice;
- (4) in response to inquiries from insurers, insurance professionals or the public clarifying ambiguous terms or requirements of existing law.

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

**13.1.2.9       PROCEDURE FOR ISSUING BULLETINS:** Bulletins shall be numbered, dated and signed by the superintendent. Bulletins shall be effective on the date issued, unless a different effective date is specified in the bulletin.  
[7/1/97; Recompiled 11/30/01]

**13.1.2.10 REVIEW PROCEDURE:** Any person aggrieved by a bulletin may request a hearing before the superintendent in accordance with Section 59A-4-15 NMSA 1978.  
[7/1/97; Recompiled 11/30/01]

**HISTORY OF 13.1.2 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]