

Opinion No. 15-1657

October 21, 1915

BY: H. S. CLANCY, Assistant Attorney General

TO: State Corporation Commission, Santa Fe, New Mexico.

Licenses to agents of insurance companies.

OPINION

{*231} I am in receipt of your communication of even date in which you request the opinion of this office as to whether the Commission has authority to issue a license to Mr. George W. Dodd, of Denver, Colorado, to act as agent for the Colonial Fire Underwriters Agency, which is, as I understand, an agent of the National Fire Insurance Company, for which last mentioned company Mr. Dodd has a license to act as its agent.

As this office understands the law, the so-called licenses to agents of insurance companies are merely copies of the certificates of authority issued to the companies and which authorize them to transact business in this state. It does not appear that the Colonial Fire Underwriters Agency is an insurance company and has been duly authorized to transact business in New Mexico, and is not in possession of any certificate. Therefore, there being no certificate of authority to transact business from which a copy can be made, it would seem that neither Mr. Dodd nor any other person is entitled to have issued to him a so-called license to act as agent of this Agency. I call your attention to Section 2814 of the Codification which provides that agents and solicitors of insurance companies must, before soliciting business for such companies, procure copies of the certificates of authority issued to the companies themselves, but there does not seem to be any law providing for the issuance of a license to an agent of an agency.