

Opinion No. 22-3443

May 20, 1922

BY: HARRY S. BOWMAN, Attorney General

TO: Mr. James B. Read, State Bank Examiner, Deputy for Insurance, Santa Fe, New Mexico.

Policies of Insurance on Automobiles Must Be Written in State.

OPINION

{*154} I refer to your letter of the 17th instant, relative to the necessity for a compliance with the provisions of Chapter 195, Laws 1921, by persons writing policies of insurance upon automobiles.

{*155} The section above mentioned requires that policies or contracts of insurance "of any kind to provide against any contingency which may be insured or guaranteed against" must be made, written or placed through the duly and regularly appointed and authorized agents of a foreign insurance company in this state.

The statute is clear and there can be no doubt as to its meaning. Policies or contracts of insurance "of any kind" to provide against any contingency which may be insured against would include policies of insurance upon automobiles as well as others.

Therefore, such policies must be made, written or placed through the resident agents of the company writing the policy.