

304.9-507 Conditions under which license authorizes employee or representative to transact business -- Licensee may not hold self out as insurance agent without applicable license.

- (1) A license issued to a business entity under KRS 304.9-505 shall authorize an employee or representative of the business entity licensee to sell, solicit, or negotiate rental vehicle insurance without being licensed, registered, or otherwise individually identified, if all of the following are true:
 - (a) The employee, representative, or managing employee operates with permission from the business entity licensee;
 - (b) The business entity licensee assumes responsibility for the insurance activities of its unlicensed employees, representatives, or managing employees;
 - (c) The employee or representative operates under the supervision of a managing employee who is licensed as a rental vehicle agent and who shall be available at all times for consultation for and adequate supervision of the business locations registered with the commissioner during the sale, solicitation, or negotiation of rental vehicle insurance. However, a managing employee need not be present at each business location registered with the commissioner;
 - (d) The business entity maintains an adequate number of managing employees available for consultation and supervision for the employees or representatives offering insurance products;
 - (e) The employee, representative, or managing employee has been instructed by the rental vehicle agent with respect to the consumer disclosures that are required under KRS 304.9-509 prior to the sale of the rental vehicle insurance;
 - (f) The employee or representative is not primarily compensated based on the amount of insurance sold by the employee or representative; and
 - (g) The business location is registered with the commissioner.
- (2) A licensee shall not advertise, represent, or otherwise hold out the licensee or any employee or representative of the licensee as a licensed insurance agent under another section of this subtitle, unless the entity or individual actually holds the applicable license.

Effective: July 15, 2010

History: Amended 2010 Ky. Acts ch 24, sec. 1082, effective July 15, 2010; and ch. 83, sec. 17, effective July 15, 2010. -- Created 2000 Ky. Acts ch. 380, sec. 25, effective July 14, 2000.

Legislative Research Commission Note (7/15/2010). This section was amended by 2010 Ky. Acts chs. 24 and 83, which do not appear to be in conflict and have been codified together.