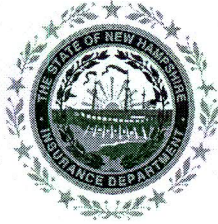


The State of New Hampshire
Insurance Department

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John Elias
Commissioner

A handwritten signature in blue ink, appearing to read "A. Feldvebel".

Alexander K. Feldvebel
Deputy Commissioner

Bulletin Ins. 18-054-AB

TO: Automobile Dealers, Insurance Producers, and Insurance Companies

FROM: John Elias, Insurance Commissioner

DATE: November 8, 2018

RE: Solicitation, Negotiation and Sale of Motor Vehicle Liability and Physical Damage Insurance

I. Introduction:

It has come to the Department's attention that automobile dealers are assisting consumers with the purchase of motor vehicle insurance. The Department is issuing this bulletin to remind all parties involved in the sale of motor vehicles that the solicitation, negotiation, and sale of motor vehicle liability and physical damage insurance requires an insurance producer license. See RSA 402-J:3. This legal requirement is designed to ensure that only those who are knowledgeable and competent about insurance advise consumers in regard to the purchase of insurance.

II. Law:

In order to negotiate, solicit, or sell insurance in New Hampshire, a person (individual or business entity) must be licensed for the particular type of insurance at issue. See RSA 402-J. The terms negotiate, solicit, and sell are defined as follows:

- "Negotiate" means the act of conferring directly with or offering advice directly to a purchaser or prospective purchaser of a particular contract of insurance concerning any of the substantive benefits, terms, or conditions of such contract, provided that the person engaged in that act either sells insurance, or obtains insurance from insurers for purchasers.
- "Sell" means to exchange a contract of insurance by any means, for money or its equivalent, on behalf of an insurance company.
- "Solicit" means attempting to sell insurance or asking or urging a person to apply for a particular kind of insurance from a particular company.

