



TO: All Professional Bail Bondsmen Licensed in Pennsylvania
FROM: Robert A. Downie, Director
Bureau of Licensing and Enforcement
DATE: September 30, 2015
RE: Professional Bail Bondsman licenses and Act 16 of 2015 (“Act 16”)

This letter provides important information on the transition of existing professional bail bondsmen to licensed insurance producers in Pennsylvania and highlights several important provisions of Act 16 relating to the implementation of the act and the issuance of bail bonds under the new license.

Act 16 will become effective on October 30, 2015, and, as of that date, **all existing professional bondsmen licenses will become inactive** and will no longer be valid. Persons possessing a valid professional bondsman license will be issued an insurance producer license with a casualty & allied lines line of authority. To ensure continuity of business operations, the Pennsylvania Insurance Department (“Department”) anticipates that the new producer licenses will be activated and mailed out to licensees on or around October 20, 2015. **Please make sure that your address on file with the Department is current to help ensure timely receipt of your new license.**

NOTE: For those individuals already possessing a current insurance producer license with the casualty & allied lines line of authority, your producer license will remain in effect and your license number will not change. Only your professional bondsman license will be inactivated.

Upon receiving an insurance producer license, in addition to the provisions of Act 16, bail bondsman will be subject to all laws and regulations pertaining to insurance producers, including Article VI-A of the Insurance Department Act of 1921, 40 P.S. §§ 310.1 – 310.99a. In addition to prohibiting certain acts, these laws require producers to successfully complete 24 credit hours of continuing education during each two-year license period as a condition for license renewal. Licensees are also required to notify the Department within 30 days of any change in address. Licensees are expected to familiarize themselves with these statutory provisions, which can be accessed at the State Law Library in Harrisburg, by contacting a private attorney or through a web-based legal research company such as LexisNexis or Westlaw. Please note that because Pennsylvania’s statutory compilations are issued by a private company with a proprietary numbering system, the Department cannot provide you with copies of these statutes.

While all professional bondsmen will automatically receive an insurance producer license, under the new license **a bail bondsman may only issue bonds as an appointed representative of a licensed insurance company, which has issued a qualifying power of attorney authorizing the producer to issue bonds on its behalf** and setting forth, in clear and unambiguous terms, the maximum monetary authority of the bail bondsman per bond. Moreover, every bail bondsman must maintain an office that is geographically located in the Commonwealth and eligible to receive service of original process and other legal papers.

Act 16 further provides that a bail bondsman shall only be authorized to conduct business in a county when he or she has provided the office of the clerk of the court of common pleas with the following documents: 1. a copy of the license issued to the bail bondsman by the Department; 2. a statement identifying an office address for service of legal process; and 3. the qualifying power of attorney issued by an insurer. Questions regarding these authorization requirements should be directed to the clerk of court’s office for that judicial district.

General licensing information of all types can be obtained from the Department’s website at www.insurance.pa.gov/licensees.