

Title 31 MARYLAND INSURANCE ADMINISTRATION

Subtitle 03 INSURANCE PRODUCERS AND OTHER INSURANCE PROFESSIONALS

31.03.05 Bail Bonds

Authority: Insurance Article, §§2-108, 2-109(a)(1), [and] 10-126, and 10-309, and Title 10, Subtitle 3, Annotated Code of Maryland

Notice of Proposed Action

[17-240-P]

The Insurance Commissioner proposes to amend Regulation .09 and adopt new Regulation .15 under COMAR 31.03.05 Bail Bonds.

Statement of Purpose

The purpose of this action is to amend regulations to be consistent with legislative changes that occurred during the 2017 session. Ch. 807, Acts of 2017, amended Insurance Article, §10-309, Annotated Code of Maryland, to require the Insurance Commissioner to adopt a form for use by the bail bonds industry when the bond is being paid in installments. These regulations adopt the form to be used.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

I. Summary of Economic Impact. Bail bondsmen may have a minimal decrease in administrative costs as they will no longer need to develop their own bail bond installment agreement form and instead could use the standardized form.

II. Types of Economic Impact.	Revenue (R+/R-) Expenditure (E+/E-)	Magnitude
A. On issuing agency:	NONE	
B. On other State agencies:	NONE	
C. On local governments:	NONE	
Benefit (+) Cost (-)		
D. On regulated industries or trade groups:	NONE	
Administrative cost	(-)	Minimal
E. On other industries or trade groups:	NONE	
F. Direct and indirect effects on public:	NONE	

III. Assumptions. (Identified by Impact Letter and Number from Section II.)

D. Assuming bail bondsmen have to spend time and resources developing their own bail bond installment agreement forms, the use of the standardized form will slightly decrease their administrative costs.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Lisa Larson, Regulations Manager, Maryland Insurance Administration, 200 St. Paul Place, Suite 2700, Baltimore, MD 21202, or call 410-468-2007, or email to insuranceregreview.mia@maryland.gov, or fax to 410-468-2020. Comments will be accepted through October 30, 2017. A public hearing has not been scheduled.

.09 Installment Agreement.

A. (text unchanged)

B. The installment agreement *shall be written in the form adopted under Regulation .15 of this chapter* and shall contain the following information:

(1) — (9) (text unchanged)

C. — E. (text unchanged)

.15 Installment Agreement Form.

Note: This form appears at the end of the Proposed Action on Regulations section of this issue of the Maryland Register.

ALFRED W. REDMER, JR.
Insurance Commissioner

Installment Agreement for Unpaid Premium

I (we), the undersigned person(s), jointly and severally (together and separately), promise to pay to the order of: _____ (Bail Bondsman) the principal sum of _____ Dollars (\$ _____) owed for the bail bond of: _____ ("Defendant") in Criminal Case No. _____ in the District/Circuit Court of _____ City/County, Maryland at the address shown below in the Bail Producer Name and Agency Box according to the following payment plan, which consists of a total of _____ installment payments. Payments in the amount of \$ _____ shall be paid:

Weekly Bi-Weekly Monthly

Payments shall continue until the balance due is paid in full. The first payment is due on: _____ and the last payment is due on: _____.

1. This installment agreement does not include a confessed judgment clause that waives a consumer's right to assert a legal defense to an action under this installment agreement.
2. This installment agreement continues in force until all payments have been paid in full.
3. This one page installment agreement represents the **entire agreement**. Any changes or modifications to this installment agreement must be in writing and signed by both parties.

I (we) agree to all terms and conditions of this agreement and acknowledge receipt of a copy of this agreement and a receipt showing the amount of the down payment made.

Bail Bondsman Producer

Signature: _____

Print Name: _____

Date: _____

Producer License #: _____

Person(s) Agreeing to Pay:

Signature: _____

Print Name: _____

Date: _____

Signature: _____

Print Name: _____

Date: _____

NOTICE TO CONSUMERS

This installment agreement continues in force until all payments have been paid in full. This means that YOU MUST CONTINUE TO PAY THE FULL BALANCE OWED even if the Defendant is arrested again and taken into custody on this matter or any other criminal matter, or the case is decided before you have finished paying the total balance due, or the case is dismissed, or the Defendant does not show up for court.

Bail bond installment contracts are regulated by the Maryland Insurance Administration, 200 St. Paul Place, Suite 2700, Baltimore, MD 21202. Phone: 410-468-2000/ 1-800-492-6116 (toll free)/ 1-800-735-2258 (TTY) www.insurance.maryland.gov.

BAIL BONDSMAN NAME AND AGENCYNAME

[Include: name, address, phone number(s), and license number(s) for both bail bondsman and agency.]