

SUBCHAPTER 5. BAIL BONDSMEN

PART 1. CONTINUING EDUCATION FOR BAIL BONDSMEN

365:25-5-1. Purpose

The purpose of this Part is to set forth the prelicensing and continuing education requirements for bail bondsmen and to set forth the requirements for course approval.

[Source: Amended at 10 Ok Reg 1483, eff 5-1-93]

365:25-5-2. Definitions

The following words or terms, when used in this Part shall have the following meaning, unless the context clearly indicates otherwise:

"**Association**" means the Oklahoma Bondsman Association.

"**CEC**" means continuing education credit.

"**Certificate of course completion**" means a document acceptable to the Commissioner and completed by the Association, which signifies satisfactory completion of the course and reflects hours of credit earned.

"**Clock hour**" means credit hour.

"**Credit hour**" shall consist of at least a fifty (50) minute classroom instructional session unless a correspondence or self-study course.

"**Education verification form**" means a form acceptable to the Commissioner and completed by the licensee, which documents compliance with the prelicensing or continuing education requirements.

"**Instructor**" means a person who presents course materials approved for prelicensing or continuing education credit hours and who has experience, training, and/or education in the course subject matter and has been approved by the Commissioner.

"**Licensee**" means a natural person who is licensed by the Commissioner as a bail bondsman.

"**Proof of completion**" means the certificate of course completion **and** education verification forms.

[Source: Amended at 10 Ok Reg 1483, eff 5-1-93; Amended at 11 Ok Reg, eff 7-1-94]

365:25-5-3. Education requirements

(a) **Education verification prior to licensure.** Prior to taking the bail bondsman licensing examination, the applicant shall successfully complete the hours of prelicensing education required by 59 O.S. § 1308.1(A) in subjects pertinent to the duties and responsibilities of a bail bondsman. The prelicensing education shall be valid for one (1) year from the date obtained by the applicant. The applicant must pass the examination and apply within one (1) year from the date of the prelicensing education.

(b) **Continuing education.** All bail bondsmen shall complete eight (8) credit hours of continuing education required by 59 O.S. § 1308.1(A) annually to meet the biennial requirement.

(c) **CE credit for instructor.** An instructor who is a licensed bail bondsman shall receive the same continuing education credit for presenting approved course materials as a licensee who attends an approved classroom instructional session.

[Source: Amended at 10 Ok Reg 1483, eff 5-1-93; Amended at 11 Ok Reg, eff 7-1-94; Amended at 28 Ok Reg 1964, eff 7-14-11; Amended at 29 Ok Reg 1295, eff 7-14-12; Amended at 30 Ok Reg 1798, eff 7-14-13; Amended at 34 Ok Reg 1688, eff 9-15-17]

365:25-5-4. Application for course approval

(a) **Oklahoma Bondsman Association courses.** The Oklahoma Bondsman Association shall apply for course approval from the Commissioner. The Association shall submit a fee to the Insurance Commissioner as set forth in 59 O.S. § 1308.1.

(b) **Information regarding OBA courses.** The Oklahoma Bondsman Association shall submit the following information concerning educational courses:

- (1) Name, address and qualifications of the instructor;
- (2) Contact person, his or her address and telephone number;
- (3) The location of the courses or programs, unless it is an individual study or correspondence course;
- (4) The number of hours requested for each course;
- (5) Topic outlines which list the summarized topics covered in each course and upon request, a copy of any course materials. If a prior approved course has substantially changed, a summarization of those changes.

(c) **Instructor qualifications.** An instructor shall have one of the following qualifications:

- (1) Three (3) years of recent experience in the subject area being taught; or
- (2) A degree related to the subject area being taught; or
- (3) Two (2) years of recent experience in the subject area being taught and twelve (12) hours of college and/or vocational technical school credit hours in the subject area being taught.

(d) **Losing course approval.** The Commissioner may withhold or withdraw approval of any instructor or course for violation of or non-compliance with any provision of this section.

(e) **Course approval expiration.** Each course approval shall be valid for a period of not more than two (2) years, unless the course has a material change. Material changes to courses require course resubmission for overall course review and approval. Course approval following the review of material changes shall reset the validity period. At the expiration of the validity period, providers shall submit the course for approval by the Commissioner if the provider wants to continue to offer the course for continuing education credit.

[Source: Amended at 10 Ok Reg 1483, eff 5-1-93; Amended at 29 Ok Reg 1295, eff. 7-14-12; Amended at 30 Ok Reg 1799, eff 7-14-13; Amended at 34 Ok Reg 1688, eff 9-15-17]

365:25-5-5. Approval or denial of course; certificate of completion

(a) **Approval required 30 days in advance.** At least thirty (30) days in advance of the presentation of any course, the Association shall apply to the Commissioner for course approval. The Commissioner shall grant or deny approval based upon information submitted in 365:25-5-4 regarding each course or additional information regarding the course, if necessary. The Commissioner will assign the number of hours awarded for an approved course.

(b) **Written approval required.** All courses shall require written approval.

- (c) **Approval withheld or withdrawn.** The Commissioner may withhold or withdraw approval for any course approval. This withdrawal will not affect any hours attained under the course.
- (d) **Minimum one credit hour per course.** Courses submitted for approval must consist of a minimum of one credit hour of course instruction.
- (e) **CEC separate component of meetings.** Courses conducted in conjunction with other meetings must have a separate continuing education course component.
- (f) **Certificate of Course Completion.** At the completion of each course, whether continuing education or prelicensing, the Association shall provide the bondsman with a "Certificate of Course Completion" form, which shall contain the verification of the Association that the bondsman completed the course so certified.
- (g) **OBA supplies Commissioner with list of bondsmen completing course.** At the completion of each course, the Association shall provide to the Commissioner a list of all bondsmen who completed the course.
- (h) **OBA records maintained 4 years.** The Association shall maintain course records for at least four (4) years.

[Source: Amended at 10 Ok Reg 1483, eff 5-1-93; Amended at 11 Ok Reg, eff 7-1-94; Amended at 30 Ok Reg 1799, eff 7-14-13]

365:25-5-6. Proof of completion; video courses

- (a) **Correspondence courses.** A bail bondsman who satisfactorily completes an approved course by correspondence and provides proof of satisfactory completion, as specified by the Commissioner, will receive credit for the number of hours assigned by the Commissioner for completion of the course.
- (b) **Video courses.** In order for a bail bondsman to receive credit for viewing an approved course presented by electronic recording, the bondsman must view the electronic recording under the supervision of an approved instructor, or under the supervision of an individual approved by the Oklahoma Bondsman Association, and swear by affidavit he has viewed the electronic recording in its entirety. The affidavit must be submitted to the Association.

[Source: Amended at 19 Ok Reg 1325, eff 7-14-02; Amended at 30 Ok Reg 1799, eff 7-14-13]

365:25-5-7. Repeating courses

A bondsman may repeat a course within the one year period if the maximum credits designated for the course were not attained in the first attempt. By repeating the course, the bondsman may not during the annual period earn more than the maximum credits designated for the course. A bondsman may repeat a course after one year has elapsed and receive the maximum credits designated for the course.

365:25-5-8. Extensions of time

For good cause shown, the Commissioner may grant an extension of time during which the requirements imposed by 59 O.S. Section 1308 and 1308.1 may be completed. The extension shall not exceed twelve (12) months. The extension will not alter the requirements or due date of the

succeeding twenty-four (24) month period. "Good cause" includes disability, natural disaster, or other extenuating circumstances. Each request for extension of time shall be in writing from the licensee and shall include details and any documentation to support the request. Each request must be received by the Commissioner no less than thirty (30) days before the expiration of the license.

[Amended at 15 Ok Reg 1401, eff 7-1-98; Amended at 30 Ok Reg 1799, eff 7-14-13; Amended at 34 Ok Reg 1688, eff 9-15-17]

365:25-5-9. Severability provision

If any provision of this Part, or application of such provision to any person or circumstances, shall be held invalid, the remainder of the Part, and the application of such provision to person or circumstances other than those as to which it is held invalid, shall not be affected thereby.