

# Your Exam Content Outline

The following outline describes the content of one of the New Mexico insurance examinations. The outlines are the basis of the examinations. The examination will contain questions on the subjects contained in the outline. The percentages indicate the relative weights assigned to each part of the examination. For example, 10 percent means that 6 questions will be drawn from the section on a 60-question exam, 10 will be drawn on a 100-question exam and 15 will be drawn on a 150-question exam.

## New Mexico Examination for Bail Bonds Series 18-34

**50 questions – One-hour time limit**  
**Effective April 30, 2019**

### 1.0 Insurance Regulation 16% (8 Items)

#### 1.1 Licensing

- Superintendent's general duties and powers (59A-2-8)
- Process (59A-51-5; Reg 13.20.2.8, .9)
- Persons to be licensed (59A-51-2, 3)
- Types of licensees
  - Bail bondsman (59A-51-2(A))
  - Limited surety Producer (59A-51-2(C))
  - Property bondsman (59A-51-2(D))
- Requirements (59A-51-4, 4.1)
  - Surety bond (59A-51-8)
  - Solicitor appointment (59A-51-5(C), 12)
- Maintenance and duration
  - Expiration and renewal (59A-11-10, 11; 59A-51-10)
  - Termination of business (59A-51-11(B))
  - Address change (59A-12-17) (59A-11-24)
  - Continuing education (59A-12-26; Reg 13.4.7.9, .12)
- Disciplinary actions
  - Suspension, revocation, or refusal to renew (59A-11-8, 10, 14-16, 18)
  - Cease and desist order (59A-16-27)
  - Penalty for violations (59A-51-16, 17, 18)

#### 1.2 Bondsman regulation

- Place of business (59A-51-13; Reg 13.20.2.18)
- Operate under one name (59A-51-13)
- Record maintenance and examination (Reg 13.20.2.22)
  - Financial statement (59A-51-10(B))
  - List of forfeitures (Reg 13.20.2.22)
- Prohibited conduct
  - Practice of law (59A-51-13(A)(5))
  - Referral to attorney (59A-51-13(A)(1))
  - Signing bond in blank (59A-51-13(D))
- Unfair and prohibited practices
  - Twisting (59A-16-6)
  - Falsification, omission of records; misleading financial statements (59A-16-8)
  - Unfair discrimination, rebates; other coverages (59A-16-12, 13, 17)
  - Monopolistic practices (59A-16-19)
  - False applications, claims, proofs of loss (59A-16-23)
  - Knowledge of insurer of prohibited acts (59A-16-25)
  - Penalties (59A-16-29)
  - Misrepresentation (59A-16-4; 59A-51-14(A)(2))
  - False advertising (59A-16-5)
  - Defamation (59A-16-10)
  - Boycott, coercion or intimidation (59A-16-19)
- Charges and refunds (59A-51-13)
- Extra territorial fees (59A-51-13)
- Compensation (Reg 13.20.2.18)
- Other provisions applicable (59A-51-19)

Consumer information privacy (59A-2-9.3;  
Reg 13.1.3.1-.28)

## **2.0 The Legal Framework 39% (20 Items)**

### **2.1 Court jurisdictions**

Original jurisdiction

Territorial

Judicial

Personal

Appellate jurisdiction

### **2.2 Definitions (31-1-2)**

Acquit

Adjudicate

Capital offense

Conviction

Custody

Defendant

Disposition

Extradition

Felony

Fugitive

Hearing

Incarceration

Indictment

Misdemeanor

Recognizance

Revoke

Suspend

Warrant

Writ

### **2.3 Parties to a surety bond**

Principal

Indemnitor for principal

Indemnity agreement

Obligee

Surety

## **3.0 Bail Bond Principles and Practices (Supreme Court Rules and Criminal Forms, Article 3 - Bail, Article 4 - Provisions) 45% (22 Items)**

### **3.1 Duties of bail agent**

Approval (Reg 13.20.2.23)

Premium receipt (Reg 13.20.2.18)

Power of attorney

Collateral and trust obligations (Reg 13.20.2.21)

### **3.2 Procedure**

Application for bond (Surety/defendant contract)

Collateral security

Surety contract

Posting the bond

Informational notice

### **3.3 Court procedures**

Court appearances

Arraignment

Trial

Appeal

Conditions of bail

Prior to trial

Pending appeal

Failure to appear (31-3-2)

Revocation of bail

### **3.4 Release provisions (Article 4)**

Cash only bond

Personal surety bond

Corporate surety bond

Personal recognizance

### **3.5 Surrender of principal (defendant) (31-3-3)**

Discharge of bond

Return of premium

Return of collateral

### **3.6 Bond forfeiture**

Motion

Notice to defendant and sureties (31-3-2)

Judgment

Dispersal of funds

Arrest after forfeiture