



► Bail Bondsmen – Temporary Licensing Update ◀ May 27, 2022

- On April 25, 2022, the Offices of the Insurance Commissioner (“OIC”) issued guidance on Temporary Licensing for Bail Bondsmen. This updated guidance is being issued to supplement prior guidance.
- Pursuant to W.Va. Code §51-10-8(j), after July 1, 2022, a person shall not, either as principal, or as agent, clerk, or representative of an agent, engage in the bonding business unless licensed by the OIC.
- To provide for continuous licensing during the transition to the new licensing scheme, the OIC will issue temporary licenses to eligible bail bondsmen who are currently approved to operate in this state. This is essentially a temporary or “grandfathering” process for currently licensed bail bondsmen to ensure there is no gap in licensing.
- Temporary licenses will have an effective date of **July 1, 2022** and an expiration date of **November 1, 2022**, by which time the bail bondsmen should have had sufficient time to complete the new licensure process with the OIC, which includes undergoing a fingerprint background check and may further include becoming a licensed insurance producer with a property and casualty line of authority (surety bondsmen) or pledging the requisite amount of cash, approved securities and/or real property equity with the OIC as collateral (for professional bondsmen).
- **To obtain a temporary license, a bail bondsman must contact the OIC by phone or email before July 1, 2022, to request a temporary license and submit proof or supporting documentation that he or she is currently approved to operate as a bail bondsman in this state.** Proof may be in the form of a court order, circuit clerk’s letter, or, for surety bondsmen, an insurance producer license with a property and casualty line of authority. These are examples and other supporting documents may be acceptable. Proof of current licensure should be submitted to the OIC at OICBailBondsmen@wv.gov.
- Requests for a temporary license will be reviewed by the OIC on a case-by-case basis, and may be denied if information is obtained by the OIC that shows an applicant for temporary licensure engages in prohibited activities, as defined in §114-103-5, or engages in conduct that would be grounds for permanent licensure suspension or revocation, as identified in §114-103-11.
- A bail bondsman must also include his or her full legal name, resident address, business address, mailing address, e-mail address and telephone number when providing proof of current approval to operate as a bail bondsman and requesting a temporary license.
- When requesting a temporary license, a bail bondsman must also indicate whether he or she wants to become licensed as a professional bondsman (a cash or property bondsmen) or a surety bondsman (a licensed producer with a property and casualty line of authority).

- Bail bondsmen will not be required to pay for a temporary license. However, the application fee for a two (2) year bail bondsmen license is \$200.00 and is nonrefundable. The application fee must be paid upon application for a two (2) year license on or before November 1, 2022.
- **It is incumbent upon a bail bondsman to be familiar with all the provisions of W. Va. Code §51-10-1 et seq. and 114 CSR 103, and to contact the OIC to obtain a temporary license.** The rule may be found at the following link: [114 CSR 103](#).
- The OIC will begin issuing the temporary licenses discussed herein in June 2022. The OIC may not issue temporary licenses to current bail bondsmen after July 1, 2022, unless good cause can be shown why the request was not made prior to July 1, 2022. As such, current bail bondsmen who receive this notice should contact the OIC as soon as possible, and before July 1, 2022, to request a temporary license with an effective date of July 1, 2022, and to prevent licensure lapse.
- The temporary license (“grandfathering”) process is solely to prevent disruption during the transition of bail bondsmen licensing from the courts to the OIC and will not be a permanent option for those seeking licensure as bail bondsmen.
- Questions pertaining to OIC’s licensure or regulation of bail bondsmen may be directed to: OICBailBondsmen@wv.gov. You may also contact the OIC at this email address to provide the OIC with updated contact information, including your name, address, telephone number and email address. The OIC will then add your information to its internal contact list so that you will receive updates and communications regarding the licensure and regulation of bail bondsmen.

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