

LICENSING INFORMATION FOR BONDSMEN

Frequently Asked Questions

The Bail Bond Licensing Examination Candidate Guide on the Department's website www.ncdoi.com gives a thorough overview of how to obtain a bail bond license including pre-licensing, examination and compliance requirements.

1. What license do I need to conduct bail bond business in NC?

There are three bail bond license types for which an individual may apply to conduct bail bonding business:

- A Surety Bail Bondsman is appointed by an insurer by power of attorney to execute or countersign bail bonds for the insurer in connection with judicial proceedings and receives consideration for writing the bail bonds.
- A Professional Bail Bondsman pledges cash or approved securities with the Commissioner as security for bail bonds written in connection with judicial proceeding and receives bail bond premium in exchange for writing the bail bonds.
- A Bail Bond Runner is employed by a professional bail bondsman for the purpose of assisting the bondsman in presenting the defendant in court when required, assisting in the apprehension and surrender of the defendant to court, keeping the defendant under necessary surveillance, or executing bonds on behalf of the licensing bondsman when the power of attorney has been duly recorded.

2. Does NC issue licenses to bounty hunters?

No.

3. What are the requirements for a bail bond license?

To be licensed as a Resident Bail Bondsman/Runner, you must meet the following qualifications in accordance with North Carolina General Statute §58-71-50:

1. You must be a resident of the state of North Carolina for at least six consecutive months before making application for a bail bondsman and/or bail bond runner license.
 1. a. Have obtained a high school diploma or its equivalent.
2. You must be at least 21 years of age.
3. You must never have a felony conviction.
4. Have knowledge, training, or experience of sufficient duration and extent to provide the competence necessary to fulfill the responsibilities of a licensee.
5. Have no outstanding bail bond obligations.
6. Have no current or prior violations of Article 71 of Chapter 58 of the North Carolina General Statutes or of Article 26 of Chapter 15A of the North Carolina General Statutes.
7. Not have been in any manner disqualified under North Carolina law or any other state to engage in the bail bond business.
8. Hold a valid and current North Carolina driver's license or valid North Carolina identification card issued by the Division of Motor Vehicles.
9. The Commissioner shall deny any license under this Article if the applicant has been convicted of a misdemeanor drug violation under Article 5 of Chapter 90 of the General Statutes within the previous 24 months of the date of the application for the license.

4. What can I use for proof of address/residency?

An applicant for a license as a bail bondsman or runner shall provide to the Commissioner at least two of the documents listed in this subsection as proof of residency in this State. Subject to rules adopted by the Commissioner, an applicant may be required to provide additional documentation. The permissible documents are:

- (1) A pay stub showing the applicant's residential address in this State. (past 90 days)
- (2) A utility bill showing the applicant's residential address in this State. (past 90 days)
- (3) A written lease agreement or contract for purchase and sale signed by the applicant and for a residence located in this State. (current or prior year)
- (4) A receipt for personal property taxes paid by the applicant to a North Carolina unit of local government. (current or prior year)
- (5) A receipt for real property taxes paid by the applicant to a North Carolina unit of local government. (current or prior year)
- (6) A monthly or quarterly statement showing the applicant's residential address in this State and issued by a financial institution for an account held by the applicant. (past 90 days)

5. Are any individuals prohibited from being licensed as a Bail Bondsman and/or Bail Bond Runner?

Pursuant to North Carolina General Statute §58-71-105, the following individuals are prohibited from being licensed as a bail bondsman and/or bail bond runner:

A Sheriff, deputy sheriff, other law enforcement officer, judicial official, attorney, parole officer, probation officer, jailer, assistant jailer, employee of the General Court of Justice, nor any other public employee assigned to duties relating to the administration of the criminal justice, nor the spouse of any such person.

6. How much is the license application fee for a bail bond license?

The fees required with bail bond license applications are as follows:

- Bail Bond Runner \$183.00 plus \$48.00 processing fee, Total: \$231.00
- Surety Bail Bondsman \$263.00 plus \$48.00 processing fee, Total: \$311.00
- Professional Bail Bondsman \$263.00 plus \$50.00 processing fee, Total: \$311.00

7. How do I apply for a bail bond license?

As of 12/18/2012 applicants need to apply online by going to:

<https://i7lp.integral7.com/durango/do/login?ownername=ncdoi&channel=ncdoi&basechannel=default>

There is also a link to the online application on the NCDOL website. Go to: www.ncdoi.com

8. What if I don't have a computer to access the online renewal?

If you have a library near you, you will be able to access the online application. If you are in the Raleigh area, you are able to come to the North Carolina Licensing Office of Pearson VUE located at: The address is 3128 Highwoods Blvd, Suite #260, Raleigh, NC 27604. There is a computer kiosk available for your use.

9. Can I send in a paper application?

New applications will need to be completed online; in the event that you do not have access to a computer you may go to a public library where you will be able to complete the online application or stop by the North Carolina Licensing Office of Pearson VUE.

The customer service staff at the North Carolina Licensing Office of Pearson VUE will be more than happy to walk you through the process step-by-step contact them at 866-265-6329 between the hours of 8am to 6pm EST.

10. What method can I use to pay my license fees online?

On-line you may use a debit/credit card (Visa, MasterCard, American Express, Discover card). If you prefer to pay by check or money order you must indicate that as your preferred method of payment, print a copy of the receipt that is provided and mail it to:

Post Office Remittance Address:

North Carolina, State of DOI
P.O. Box 742175
Atlanta, GA 30374-2175

Overnight Mail:

Bank of America Lockbox Services
Lockbox 742175
6000 Feldwood Road
College Park, GA 30349

The check or money order **MUST** be made payable to the North Carolina Department of Insurance. If the check or money order is not made out properly, or if you fail to provide a copy of the confirmation receipt with the check or money order, or you do not include all fees, this may result in a delay in processing your application.

11. How long is my online application good for?

The application will expire six months from the date of submission. If your application is incomplete after six months, it will be withdrawn and you will forfeit all fees.

12. How long does it take to obtain a bail bond license?

Upon receipt of a complete application, Bail Bond Regulatory Division will be able to review your application for licensure within a 30-45 day timeframe. The processing timeframe is contingent on receiving all required supporting documents as well as receiving the results from the national criminal record check of the applicant's fingerprints being received in a timely manner.

13. Will I need to take a test to get a license?

In accordance with NC General Statute §58-71-70, you must pass the licensing examination. An exam fee of \$51.50 is required at the time the examination reservation is made with the Department's testing vendor Pearson VUE.

14. What if I do not pass my test?

In accordance with NC General Statute §58-71-70, an applicant who fails an examination may take a subsequent examination, but at least one year must intervene between examinations.

15. How do I get a test date?

Once the fingerprint results come back and there are no regulatory issues with the results, an exam authorization letter will be mailed to the applicant. The applicant will set up their own test date...within 30 days of the date on the exam authorization letter.

16. What is the Status of my application?

Once the application is submitted online you can review the status of your application by signing into the North Carolina License Management System:

<https://i7lp.integral7.com/durango/do/login?ownername=ncdoi&channel=ncdoi&basechannel=default>

Or by visiting www.ncdoi.com and using the Look up License Status link.

The application may be waiting on fingerprints, supervisor review of DQ questions, or the submission of missing items.

17. How long does it take my fingerprints to come back?

Generally it takes 45 business days if your fingerprints were rolled and 14 business days if they were sent electronically.

18. Where do I go to have my fingerprints taken?

A list of approved service providers will be made available to you on the NC License Management System; once you access the online license application and remit payment of your fees. You may access the list by:

1. Log-in to the North Carolina License Management System at:

<https://i7lp.integral7.com/durango/do/login?ownername=ncdoi&channel=ncdoi&basechannel=default>

2. On the left panel, select "Download Center".
3. You will be presented with an option to print the Fingerprint Locations list

19. Where do I get the fingerprint form?

You will have access to the Electronic Fingerprint Submission forms upon completion of the online application and payment of the fees. In order to access the form after completing the application and paying the fees:

1. Log-in to the North Carolina License Management System at:

<https://i7lp.integral7.com/durango/do/login?ownername=ncdoi&channel=ncdoi&basechannel=default>

2. On the left panel, select "Download Center".
3. Select to download and print the Electronic Fingerprint Submission form.

20. Why can't I access the Electronic Fingerprint Submission form prior to submitting my application and paying the fees?

NCDOI is requiring that the fingerprint fee, which is included in the total fees paid at the time of application, be submitted prior to providing access to the form. In the past, individuals have been fingerprinted and never applied for a license. Because the fingerprint process was completed, the NCDOI was liable for payment of the fingerprinting fees to the NC State Bureau of Investigations (SBI) which resulted in lost revenues to the state.

21. Where do I mail my supporting documents to?

You may fax or mail them to:

North Carolina Department of Insurance/Pearson VUE
P.O. Box 14209
Raleigh NC 27620
Fax number: 888-959-3010

We encourage you to use the "upload" feature in the online application which requires you to scan and attach your documents this will assist in expediting the review of your application.

22. Why doesn't a bondsman show appointed with a surety company on the AOC list?

The surety company that the bondsman is licensed with may be restricted in the county where they are attempting to bond. The bondsman needs to contact the clerk of court to see if their appointed surety company is restricted.

23. Where do I take my pre-licensing class?

Information on approved bail bond prelicensing education providers is available on the Department's website at www.ncdoi.com.

24. How long is my prelicensing good for?

Prelicensing Education will expire six months from the date of completion. If the education expires prior to your completing the online application process, you will be required to take a new course and submit proof of completion.

25. Do I have to have a supervising bondsman?

All first year licensees must have a supervising bondsman.

26. What happens if my supervising bondsman decides they no longer want to supervise me or they are not able to supervise me?

You will need to create another supervisor relationship by accessing your online application on the North Carolina License Management System. You must also send written notice to the North Carolina Licensing Office of Pearson VUE informing them that the previous relationship you created is no longer valid and provide them with the name of the new supervisor.

27. What do I need to do each year to ensure that my license is in force?

To keep your license in force each year you must complete three hours of continuing education each year.

28. When are license renewals?

License renewals are once every even year. Fingerprint background checks and proof of residency requirements are every other even year (every four years).

29. When must I notify the Department of a mailing address and/or e-mail address change?

A licensee must notify the Department in writing within 10 business days of a change of address and/or email address. Change of address and e-mail updates can be submitted online by going to: <https://sbs-nc.naic.org/Lion-Web/html/external/addressMaintenance/search.jsp>. Failure to submit your change of either an address or e-mail address may result in a \$50.00 administrative fee for non-compliance.

30. What are the limitations of a first-year licensee?

- A first-year licensee shall only operate under the supervision of and from the official business address of a licensed supervising bail bondsman for the first 12 months of licensure.
- A first-year licensee may be employed or contracted with only one supervising bondsman and is prohibited from becoming a supervising bail bondsman during the first two years of licensure.
- If the employment contract with a first-year licensee is terminated, the supervising bail bondsman must immediately notify the Commissioner in writing, specifying the reason(s) for termination.
- If a first-year licensee is unable to become employed by or contract with a new supervising bail bondsman, the first-year licensee must submit to the Department a sworn affidavit stating the relevant facts and circumstances regarding the first-year licensee's inability to find a new supervisor. The Department will review the affidavit and determine whether the first-year licensee bail bondsman will be allowed to operate as an unsupervised bail bondsman.

31. What is the supervising bondsman required to do upon terminating their supervision of a first-year licensee?

If the employment contract with a first-year licensee is terminated, the supervising bail bondsman must immediately notify the Commissioner in writing, specifying the reason(s) for termination. The notification may be faxed to Agent Services Division, attention Licensing Supervisor.

32. How can I check my license status, including receipt of renewal payment?

Use the Agent Information Portal on the Agent Services Division homepage at www.ncdoi.com.

33. What if my license cancels for failure to meet continuing education and/or pay the renewal fee?

Each year Agent Services Division will send a cancellation letter to licensees who fail to meet CE or on renewal years, those who fail to pay the renewal fee and submit any required documents. You must meet the sanctions outlined in the letter.

34. What are the notification requirements for convictions?

A licensee must inform the Department of any criminal conviction within 10 days. A conviction is defined as a finding of guilt, a plea of guilty, a plea of no contest, a PJC (prayer for judgment continued), or a plea that results in a deferred adjudication. Any felony conviction or a conviction committed under the license may result in license suspension or revocation in accordance with North Carolina General Statute §58-71-80(b)

Send to Agent Services Division the following documents:

- A signed statement explaining the circumstances of the conviction;
- A certified copy* of the charging document; and
- A certified copy* of judgment.

*A certified court document is a copy of the original document on file with the applicable law enforcement agency. It will bear the Clerk of Court's original signature and seal attesting to the fact that the document is a true and correct copy of the original.

35. What are the notification requirements for bankruptcies and judgments?

A licensee must inform the Department of any bankruptcy or judgment within three business days of the start of the proceeding. Send to Agent Services Division a signed statement explaining the reason for the proceeding and pertinent information such as type of bankruptcy or copy of the judgment.

36. What are prohibited practices?

Prohibited practices for bail bondsmen are listed in with North Carolina General Statute §58-71-95.

37. Must I return the premium for the bond once the defendant is surrendered?

Yes. At any time before there has been a breach of the undertaking in any type of bail or fine and cash bond, the surety may surrender the defendant to the sheriff of the county in which the defendant is bonded to appear or to the sheriff where the defendant was bonded. In such case, the full premium shall be returned within 72 hours after the surrender unless the defendant is surrendered for any of the reasons listed in North Carolina General Statute §58-71-20.

38. Under what circumstances may I surrender the defendant and not return the premium?

In accordance with North Carolina General Statute §58-71-20, the defendant may be surrendered without the return of the premium if the defendant does any of the following:

1. Willfully fails to pay the premium to the surety or willfully fails to make a premium payment under the agreement under NCGS §58-71-167.
2. Changes his or her address without notifying the surety before the address change.
3. Physically hides from the surety.
4. Leaves the State without the permission of the surety.
5. Violates any order of the court.
6. Fails to disclose information or provides false information regarding any failure to appear in court, any previous felony convictions within the past 10 years, or any charges pending in any State or Federal court.
7. Knowingly provides the surety with incorrect personal identification, or uses a false name or alias.

39. What documentation must be kept for each bond written?

Licensees must keep a separate file for each bond written. The file must contain all papers relating to the bond including receipts, indemnity agreements, bail bond registers, collateral security agreements, and any memorandum of agreements. This file is required to be kept for three years.

40. What are the rules regarding collateral?

All collateral must be held in trust. You must give a receipt for all collateral and return it within 15 days of the disposition of the case. Collateral liability must be reduced if the bond is reduced. You may not collect more collateral than the amount of the bond. Any bail bondsman who knowingly and willfully fails to return any collateral security which exceeds \$1,500 is guilty of a Class I felony.

41. What are the rules regarding receipts?

A bondsman must furnish a receipt every time he or she receives a fee. Keep copies of every receipt in the appropriate file, and keep for three years. All receipts issued must meet these requirements:

- Pre-numbered by the printer or a numbered receipt book, used and filed in consecutive numerical order.
- Show the name and address of the bondsman.
- Show the amount and date paid.
- Show the name of the person accepting payment.
- Show the total amount of the bond for which the fee is being charged and the name of the defendant.

42. When are monthly reports due? How long must they be kept?

For professional bondmen, monthly reports are due on or before the 15th of the month. Use the form available at www.ncdoi.com. The monthly reports should be kept for three years.

Surety bail bondsmen and bail bond runners do not have to submit monthly reports to the Department.

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43. If a professional or surety bail bondsman's license is suspended, revoked, surrendered or not renewed, may they continue to pick up defendants on previously written bonds that they have outstanding liability or owe forfeitures?

No. A person whose license is suspended, revoked, surrendered, or not renewed may not act as a bail bondsman in any capacity because that person is no longer licensed.

- A former professional bondsman may enter into a contract with a licensed professional bail bondsman to tie up the loose ends on outstanding liabilities, in accordance with North Carolina General Statute §58-71-121.
- For former surety bondsmen, no such contract is needed as the surety company is responsible for any forfeitures on outstanding liability. In such cases, the surety company simply appoints another surety bondsman and notifies Agent Services Division as required under North Carolina General Statute §58-71-115.

44. How does a licensed bail bondsman become "disqualified"?

"Disqualification" applies to a bondsman whose license has been revoked, suspended (during the suspension period), and in some cases surrendered.

It does not refer to a person who failed to renew the license. Such a person is unlicensed, but not disqualified.

It does not refer to a person who failed to complete continuing education. Such a person is in violation of statutory provisions regarding continuing education necessary to renew the license.

45. Can a bail bondsman associate with a disqualified bail bondsman?

No. The North Carolina Attorney General's Office has advised that any licensed bondsman who works for a business owner who has been "disqualified under the bail bond laws" and "has a direct or indirect financial interest in the bail bond business of the licensee" is subject to license revocation. This means that when a licensed bondsman enters into business with any disqualified individual, the licensee is in violation of N.C.G.S. §58-71-80(a) (13) and may be subject to a license revocation hearing under the provisions of the statute.

46. Can a licensed surety bail bondsman pick up skips and surrender defendants on bonds written through a former insurer with whom they no longer have an active surety appointment?

North Carolina General Statute §58-71-45 authorizes the bondsman to act in a bonding capacity until the license is suspended or revoked. The bondsman can only retrieve skips for the purpose of surrendering them on surety bonds that he/she was the original writer of the bond. The bondsman cannot:

- a. Write new bonds for the former insurer
- b. Renegotiate/revise an existing bond written under the former insurer
- c. Assist in picking up skips whereby the bondsman was not the original writer of the bond.
- d. Surety bondsman can work with one another to retrieve skips provided all bondsmen have current appointments with the insurer. If the bondsman is no longer appointed with the insurer, he cannot participate in group activities relative to retrieving skips for the former insurer unless the bondsman is the original writer of the bond.

47. Can a bail bondsman refuse to write a bond based on an individual's national origin?

No. The issues in determining whether or not to write a bail bond for an individual should be an evaluation of appropriate risk factors. These risk factors should apply to all individuals, and you should not refuse to write a bail bond, apply different bond collateralization requirements or charge a different bond premium fee based on race, color, religious affiliation or national origin. Bond collateral and bond premium fees should be in accordance with the bondsman's standard policies and fee schedules that apply to all individuals.