

12 CSR 10-6.020 Bonding Requirements

PURPOSE: This rule establishes procedures whereby the director may reject surety bonds issued by an insurance company suspended by the Missouri Division of Insurance. The rule also sets forth that the director can require that a new bond shall be posted if the taxpayer has a surety bond issued by a suspended surety company.

PUBLISHER'S NOTE: The secretary of state has determined that publication of the entire text of the material that is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.

(1) When applying for a motor fuel license, a Cash Bond Form 332 or Surety Bond Form 331 must be submitted with the application.

(2) Prior to the suspension of the authority of a surety company, written notification shall be sent via certified mail to the surety company of the impending suspension. If a written response is not received within ten (10) days stating a good cause why the suspension should not be implemented, the suspension shall be implemented and the surety will remain suspended until such time the restitution is made or the surety company is reinstated at the discretion of the director.

(3) The department shall require all licensees bonded with a surety company whose license to do business in Missouri has been suspended by the Division of Insurance to obtain a new surety bond with a company whose license is in good standing with the Missouri Division of Insurance.

(4) All motor fuel accounts (licensed under Chapter 142, RSMo) with surety bonds issued by a suspended surety company are required to replace each bond within sixty (60) days for motor fuel licensees from the date of notification by the director.

(5) The forms Cash Bond Form 332 and Surety Bond Form 331 are incorporated by reference and made a part of this rule as published by Missouri Department of Revenue, and are available at www.dor.mo.gov or Harry S Truman State Office Building, 301 W. High Street, Jefferson City, MO 65101, dated May 2, 2023. This rule does not incorporate any subsequent amendments or additions.

AUTHORITY: sections 142.881, 142.884, 142.887, 142.890, and 142.896, RSMo 2016.* Regulation 10-100 was filed Nov. 6, 1975, effective Nov. 16, 1975. Amended:

Filed June 17, 1986, effective Sept. 26, 1986. Amended: Filed July 17, 2023, effective Feb. 29, 2024.

*Original authority: 142.881, RSMo 1998; 142.884, RSMo 1998; 142.887, RSMo 1998; 142.890, RSMo 1998; and 142.896, RSMo 1998, amended 1999.