

CHAPTER 648

REGULATION OF BAIL BONDSMEN AND RUNNERS

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648.25 Definitions for §§648.25-648.57.—The following words when used in §§648.25-648.57 shall have the meanings respectively ascribed to them in this section:

(1) "Department" shall mean the department of insurance.

(2) "Insurer" shall mean any domestic, foreign or alien surety company which has qualified to transact surety business in this state.

(3) "Bail bondsman" shall mean a limited surety agent or a professional bail bondsman as hereafter defined.

(4) "Limited surety agent" shall mean any individual appointed by an insurer by power of attorney to execute or countersign bail bonds in connection with judicial proceedings and receives or is promised money or other things of value therefor.

(5) "Professional bondsman" shall mean any person who pledges United States currency, United States postal money orders, or cashier's checks or other property as security for a bail bond in connection with a judicial proceeding and receives or is promised therefor money or other things of value.

(6) "Runner" shall mean a person employed by a bail bondsman for the purpose of assisting the bail bondsman in presenting the defendant in court when required, or employed by the bail bondsman to assist in the apprehension and surrender of defendant to the court, or keeping the defendant under necessary surveillance. This does not affect the

right of a bail bondsman to hire counsel, or to ask assistance of law enforcement officers.

(7) "General agent" shall mean any individual, partnership, association or corporation appointed or employed by an insurer to supervise or manage the bail bond business written by limited surety agents of such insurer.

History.—§1, ch. 20621, 1955; §2, ch. 57-63; §6, ch. 65-492; §§13, 35, ch. 69-106; §177, ch. 70-339; §272, ch. 71-377.

Note.—See former §903.37

648.26 Department of insurance; administration.—

(1) The department shall have full power and authority to administer the provisions of §§648.25-648.57, which regulate bail bondsmen and runners, and to that end, to adopt and promulgate rules and regulations pursuant to §624.308 of the insurance code, and enforce rules and regulations necessary and proper to effectuate and enforce the purposes and provisions of said sections. The department may employ and discharge such employees, examiners, counsel, and such other assistants as shall be deemed necessary, and it shall prescribe their duties, and their compensation shall be the same as other state employees receive for similar services.

(2) The department shall adopt a seal by which its proceedings are authenticated. Any written instrument purporting to be a copy of any action, proceeding, or finding of fact by the department, or any record of the department authenticated by the seal, shall be

accepted by all the courts of this state as prima facie evidence of the contents thereof.

(3) The department's papers, documents, reports or evidence shall not be subject to subpoena without its consent until after the same shall have been published at a hearing held under said sections, unless after notice to the department and hearing, the court shall determine that the department shall not be unnecessarily hindered or embarrassed.

History.—§2, ch. 29621, 1955; §7, ch. 61-406; §§13, 35, ch. 69-106; §177, ch. 70-339.

Note.—See former §903.38.

648.27 Licenses; general.—

(1) No license shall be issued except in compliance with this chapter and none shall be issued except to an individual. A firm, partnership, association, or corporation, as such, shall not be licensed.

(2) For the protection of the people of this state, the department shall not issue, renew, or permit to exist any license except in compliance with this chapter. The department shall not issue, renew, or permit to exist a license for any individual found to be untrustworthy or incompetent who has had his eligibility to hold a license revoked, or who has not established to the satisfaction of the department that he is qualified therefor in accordance with this chapter.

(3) The department may propound any reasonable interrogatories to an applicant for a license under this chapter or on any renewal thereof, relating to his qualifications, residence, prospective place of business, and any other matters which are deemed necessary or expedient in order to protect the public and ascertain the qualifications of the applicant. The department may also conduct any reasonable inquiry or investigation it sees fit, relative to the determination of the applicant's fitness to be licensed or to continue to be licensed.

(4) If upon the basis of the completed application for a license and such further inquiry or investigation the department deems the applicant to be unfit as to character and background or lacking in one or more of the required qualifications for the license, the department shall disapprove the application and notify the applicant thereof, stating the grounds for disapproval.

(5) (a) The license of a limited surety agent and a professional bail bondsman shall continue in force, without further examination unless deemed necessary by the department, until suspended, revoked or otherwise terminated but subject to annual continuation by the insurer or professional bondsman named therein on or before September 1 by payment of the fee and license taxes for renewal or continuation of the license as prescribed in §648.31 and miscellaneous fees as prescribed in §624.501 of the insurance code.

(b) The license of a bail bond runner shall continue in force until expired, suspended, revoked or otherwise terminated but subject to annual continuation by the appointing limited

surety agent or professional bondsman named therein on or before September 1 by payment of the fee and license taxes for renewal or continuation of the license as prescribed in §648.31 and miscellaneous fees as prescribed in §624.501 of the insurance code.

(6) Any such license as to which request for renewal or continuation is not received by the department at its offices at Tallahassee as required by subsection (5), shall be deemed to have expired as at midnight on September 30 next following such failure. Request for renewal or continuation of any such license or payment of fee and license taxes therefor which is received by the department after such September 1 but on or before the next following October 15 may be accepted and effectuated by the department, in its discretion, and any such request and payment received by the department after such October 15 and on or before the next following November 15, may be accepted and effectuated by the department, in its discretion, only if accompanied by an additional license continuation fee in the amount of five dollars. Such continuation fees to be deposited to the credit of the insurance commissioner's regulatory trust fund.

(7) The original license certificate issued to any such licensee shall remain outstanding and in effect for so long as the license represented thereby continues in force as hereinabove provided.

(8) Any person who represents a surety company and whose duties are restricted to bail bonds only but who comes under the definition of service representative as provided in §626.081 of the insurance code may be licensed as a bail bondsman provided such person meets the qualification requirements of this chapter. Provided further, such person must either be licensed as a bail bondsman or qualify as a service representative and shall engage in such activities as provided in §§626.081, 626.744 and 626.745.

History.—§3, ch. 29621, 1955; §1, ch. 59-326; §8, ch. 61-406; §23, ch. 65-269; §§13, 35, ch. 69-106; §177, ch. 70-339; §24, ch. 71-86.

Note.—See former §903.39.

648.28 Bondsman and general agent deposit or bond.—

(1) When the department shall be satisfied that the applicant for a bail bondsman's license had qualified for such a license and met the requirements provided in §§648.27, 648.34, 648.35, and 648.38, it shall notify the applicant that a license will be issued upon the applicant's posting a deposit or bond.

(2) Prior to the issuance of a license or continuation of an existing license the applicant or licensee shall deposit with the department securities of the type eligible for deposit by insurers under §625.52, and having at all times a market value of not less than five thousand dollars; except that a general lines agent as defined in §626.041, shall not make such deposit unless the majority of his

premium volume is derived from the bail bond business.

(3) No insurer shall appoint or allow to be represented in this state by a general agent unless first the general agent shall have deposited with the department securities of the type eligible for deposit by insurers under §625.52, and having at all times a market value of not less than twenty-five thousand dollars.

(4) In lieu of any deposit of securities the bail bondsman or general agent may file with the department a surety bond in the penal sum of like amount. The bond shall be issued and continued by an authorized surety insurer not represented by said bail bondsman or general agent. The bond shall be for the same purpose as the deposit in lieu of which it is filed, shall be in favor of the department and shall specifically authorize recovery by the department of the damages obtained in case the bail bondsman or general agent fails to faithfully perform his obligations in the conduct of the bail bond business. No such bond shall be canceled or subject to cancellation unless at least sixty days advance notice thereof in writing is filed with the department.

(5) The state shall be responsible for the safekeeping of all securities deposited with the department under this chapter. Such securities shall not, on account of being in this state, be subject to taxation, but shall be held exclusively and solely to guarantee the bail bondsman's or general agent's faithful performance of his obligations in the conduct of the bail bond business.

(6) The depositing bail bondsman or general agent shall, during his solvency, have the right to exchange or substitute other securities of like quality and value for securities so on deposit to receive the interest and other income accruing on such securities, and to inspect the deposit at all reasonable times.

(7) Such deposit or bond shall be maintained unimpaired as long as the bail bondsman or general agent continues in business in this state. Whenever the bail bondsman or general agent ceases to do business in this state and furnishes to the department proof satisfactory to it that such bail bondsman or general agent has discharged or otherwise adequately provided for all his obligations in this state in the conduct of his business, the department shall release the deposited securities to the bail bondsman or general agent entitled thereto, on presentation of the department's receipts for such securities, or release any bond filed with it in lieu of such deposit.

History.—§7, ch. 65-492; §§13, 35, ch. 69-106; §177, ch. 70-339.
Note.—See former §903.391.

648.29 Bondsman, build-up funds.—All deposits or build-up funds posted by a bail bondsman or general agent, either with the insurer or general agent representing such insurer, must be maintained by the insurer or the general agent in a bank or savings and loan association in this state.

History.—§8, ch. 65-492; §177, ch. 70-339.
Note.—See former §903.392.

648.30 License required.—No person shall act in the capacity of a professional bail bondsman, limited surety agent, or runner, or perform any of the functions, duties or powers prescribed for bail bondsmen or runners under the provisions of this chapter unless that person shall be qualified and licensed as provided in this chapter.

History.—§4, ch. 29621, 1955; §177, ch. 70-339.
Note.—See former §903.40.

648.31 License tax and fee.—

(1) The department shall collect in advance all license taxes and fees for the issuance of any license to a bail bondsman, limited surety agent, or runner, as follows:

(a) Original license:

Appointment fee	\$1.00
State license tax	\$6.00
County license tax	\$3.00
Total	\$10.00

(b) Annual renewal or continuation of license:

Appointment fee	\$1.00
State license tax	\$6.00
County license tax	\$3.00
Total	\$10.00

(2) The department shall deposit all license taxes and fees in such funds and for such uses as is provided by laws applicable to like license taxes and like fees in the case of general lines agents.

History.—§5, ch. 29621, 1955; §2, ch. 59-326; §§13, 35, ch. 69-106; §177, ch. 70-339.
Note.—See former §903.41.

648.32 Effective date and initial period of license.—

(1) All licenses as to which all requisite applications, payment of fees and taxes, passing of examinations, and waiting periods have been completed and evidence thereof in the customary form received by the department at its office in Tallahassee within one calendar month prior to the expiration of the applicable license year then current or within one calendar month after the commencement of the next following new license year, shall be dated and be effective as of the first day of such new license year and shall be as for the entire such license year (subject to suspension, revocation, renewal, continuation, or termination as otherwise provided for in this chapter); but such a license, if issued pursuant to qualification therefor during the last calendar month of the preceding license year as hereinabove provided, shall be deemed to relate back in effectiveness to the date within such calendar month on which the last of such qualifying requirements was received by the department at its offices in Tallahassee.

(2) All other licenses shall be dated and become effective as of the date of issue.

History.—§3, ch. 59-326; §§13, 35, ch. 69-106; §177, ch. 70-339.
Note.—See former §903.411.

648.33 Bail bond rates.—Bail bond rates shall be subject to the provisions of part I of chapter 627 of the insurance code. It shall be unlawful for a bail bondsman to execute a bail bond without charging a premium therefor and the premium rate shall not exceed nor be less than the premium rate as filed with and approved by the department.

History.—§6, ch. 29621, 1955; §4, ch. 59-326; §§13, 35, ch. 69-106; §177, ch. 70-339.

Note.—See former §903.42.

648.34 Bail bondsmen; qualifications.—

(1) Application for filing for examination for bail bondsmen shall be submitted on forms furnished by the department.

(2) To qualify as a bail bondsman it must affirmatively appear:

(a) Applicant is a natural person who has reached the age of twenty-one years.

(b) Applicant is a citizen of the United States; has been a bona fide resident of the state for one year last past and will actually reside in this state at least six months out of each year.

(c) That the place of business of the applicant will be located in this state and that such applicant will be actively engaged in the bail bond business and maintain a place of business accessible to the public.

(d) No applicant for a license as a limited surety agent or professional bondsman shall be qualified therefor or be so licensed unless within the two years immediately preceding the date his application for license is filed with the department, he has:

1. Successfully completed a correspondence course for bail bondsmen approved by the department; or

2. He has been engaged as a licensed runner for a period of one year; or

3. He has held a valid general lines agent's license for one year; or

4. He has had at least one year with responsible duties as a substantial fulltime bona fide employee of a licensed agent, professional bondsman or an insurer engaged in writing bail bonds in which field he has specialized.

(e) Applicant shall be vouched for and recommended upon sworn statements by at least three bail bondsmen licensed by the department, or three other reputable citizens who are residents of the same counties in which applicant proposes to engage in the bail bond business.

(f) Applicant shall be a person of high character and approved integrity.

(3) A fee of ten dollars shall be submitted to the department with each application, such fee to be deposited to the credit of the insurance commissioner's regulatory trust fund.

(4) Applicant shall furnish with his application, a complete set of his fingerprints and a recent credential-size full face photograph of himself. The applicant's fingerprints shall be certified by an authorized law enforcement officer.

History.—§7, ch. 29621, 1955; §5, ch. 59-326; §9, ch. 61-406; §2, ch. 61-119; §24, ch. 65-269; §§13, 35, ch. 69-106; §177, ch. 70-339.

Note.—See former §903.43.

648.35 Professional bondsmen; qualifications.—In addition to the qualifications prescribed in §648.34, to qualify as a professional bondsman an applicant shall:

(1) File with his application for filing for examination and with each application for renewal or continuation of his license a detailed financial statement under oath; and

(2) File with his application for filing for examination the rating plan he proposes to use in writing bail bonds; such rating plan must be approved prior to issuance of the license.

History.—§8, ch. 29621, 1955; §10, ch. 61-406; §177, ch. 70-339.

Note.—See former §903.44.

648.36 Bail bondsman's records.—

(1) Every bail bondsman must maintain in his office such records of bail bonds executed or countersigned by him to enable the public to obtain all necessary information concerning such bail bonds for at least one year after the liability of the surety has been terminated.

(2) On or before August 15 of each year, a sworn statement on a form furnished by the department shall be filed with the department by:

(a) Every bail bondsman listing his assets and liabilities, and

(b) Every bail bondsman or every firm or agency if the bail bondsman is employed by, associated with or is a member of such firm or agency, listing every outstanding or unpaid forfeiture, estreature and judgment, together with the name of the court in which such forfeiture, estreature and judgment is recorded, and submitting all other pertinent information requested by the department.

History.—§11, ch. 61-406; §§13, 35, ch. 69-106; §177, ch. 70-339.

Note.—See former §903.441.

648.37 Runners; qualifications.—To qualify as a runner:

(1) It must affirmatively appear from the application:

(a) That the applicant is a natural person who has reached the age of twenty-one years.

(b) That the applicant is a citizen of the United States; has been a bona fide resident of this state for more than six months last past.

(c) That the applicant will be employed by only one bail bondsman, who will supervise the work of the applicant, and be responsible for the runner's conduct in the bail bond business.

(d) The application must be endorsed by the appointing bail bondsman, who shall obligate himself to supervise the runner's activities in his behalf.

(2) A fee of ten dollars shall be submitted to the department with each application, such fee to be deposited to the credit of the insurance commissioner's regulatory trust fund.

(3) Applicant shall furnish with his application, a complete set of his fingerprints and a recent credential-size full face photograph of himself. The applicant's fingerprints shall be certified by an authorized law enforcement officer.

History.—§9, ch. 29621, 1955; §6, ch. 59-326; §2, ch. 61-119;

§12, ch. 61-406; §25, ch. 65-269; §§13, 35, ch. 69-106; §177, ch. 70-339.

Note.—See former §903.45.

648.38 Examination; time; place; fee; scope.—

(1) (a) If upon the basis of the completed application for examination and such further inquiry or investigation as the department may make concerning the fitness and qualifications of the applicant, the department is satisfied that, subject to any examination required to be taken and passed by the applicant for a license, the applicant is qualified to take the examination applied for and that all pertinent taxes and fees have been paid, it shall approve the application.

(b) If upon the basis of the completed application for examination and such further inquiry or investigation as to the fitness and qualifications of the applicant, the department deems the applicant to be unfit or lacking in any one or more of the required qualifications as specified in §648.34 as to limited surety agent, and §§648.34 and 648.35 as to professional bondsmen, the department shall disapprove the application and notify the applicant thereof, stating the grounds for disapproval.

(2) Upon approval by the department the applicant shall be required to appear in person at a place hereinafter designated to take a written examination prepared by the department, testing his ability and qualifications to be a bail bondsman.

(3) Each applicant shall become eligible for examination sixty days after the date the application is received by the department in Tallahassee provided the department is satisfied as to the applicant's fitness to take the examination. Examinations shall be held in the department's offices where an adequate and designated examination room is available. Each applicant shall be entitled to take the examination at such of the said offices which is located closest to his place of residence, and he shall be entitled to notice of the time and place not less than fifteen days prior to taking the examination.

(4) A fee of ten dollars shall be submitted to the department with each application, such fee to be deposited to the credit of the insurance commissioner's regulatory trust fund. The fee for filing application for examination shall not be subject to refund.

(5) The failure of the applicant to secure approval of the department shall not preclude him from applying as many times as he desires, but no application will be considered by the department within sixty days subsequent to the date upon which the department denied the last application.

(6) The failure of an applicant to pass an examination, after having been approved by the department to take the examination, shall not preclude him from taking subsequent examinations. A separate and additional application and fee for filing application for exami-

nation shall be filed with the department for each subsequent examination; provided, however, that at least sixty days must intervene between examinations.

(7) The ten dollar fee for filing application for examination shall apply to each examination, but once an applicant has been approved by the department he will not have to file another application as set forth in §§648.34 and 648.35 unless specifically so ordered by the department. Any bail bondsman who successfully passes an examination must be licensed within twenty-four months from date of examination or be subject to another examination unless failure to be so licensed was due to military service, in which event the period within which another examination is not required may, in the department's discretion, be extended to twelve months following the date of discharge from military service, if the military service does not exceed three years, but in no event to extend under this clause for a period of more than four years.

(8) The scope of the examination shall be as broad as the bail bond business.

History.—§10, ch. 29621, 1955; §7, ch. 59-326; §13, ch. 61-406; §2, ch. 61-119; §26, ch. 65-269; §§13, 35, ch. 69-106; §177, ch. 70-339.

Note.—See former §903.46.

648.39 Notice of appointment of limited surety agents; termination.—

(1) The insurer shall annually prior to September 1 file with the department an alphabetical list of all limited surety agents appointed, giving the type and class of license, names and addresses of each licensee whose appointment and license in this state is being renewed or is to be continued in effect, accompanied by payment of the applicable renewal or continuation fees and taxes. Every such insurer who shall, subsequent to the filing of this list expect to appoint a limited surety agent in this state, shall give notice thereof to the department along with a written application for license for said agents. All such appointments shall be subject to the issuance of a license to such agents.

(2) The department shall promptly notify any applicant who has passed the limited surety agent's examination. Upon receipt of application for license and proper taxes and fees, the department shall issue a license in the name of the individual to the insurer.

(3) An insurer terminating the appointment of a limited surety agent shall, within thirty days after such termination, file written notice thereof with the department, together with a statement that it has given or mailed notice to the limited surety agent. Such notice filed with the department shall state the reasons, if any, for such termination. Information so furnished the department shall be privileged and shall not be used as evidence in or basis for any action against the insurer or any of its representatives.

(4) Every insurer shall within five days after terminating appointment of any limited

surety agent give written notice thereof to any clerk of the circuit court and sheriff with which the agent is registered.

History.—§11, ch. 29621, 1955; §8, ch. 59-326; §113, 35, ch. 69-106; §177, ch. 70-339.

Note.—See former §903.47.

648.40 Notice of appointment of professional bondsmen; termination.—

(1) Any person applying to qualify as a professional bondsman shall at the time of filing his application for examination also file with the department an application for license and upon the applicant's passing the examination for bail bondsmen the department shall promptly issue proper license.

(2) Any professional bail bondsman who discontinues writing bail bonds during the period for which he is licensed shall notify the clerks of the circuit court and the sheriffs with whom he is registered and return his license to the department for cancellation within thirty days from such discontinuance.

History.—§12, ch. 29621, 1955; §9, ch. 59-326; §113, 35, ch. 69-106; §177, ch. 70-339.

Note.—See former §903.48.

648.41 Notice of appointment of runners; termination.—

(1) Every person duly licensed as a bail bondsman may appoint as runner any person who holds or has qualified for a runner's license. Each bail bondsman shall annually prior to September 1 file with the department an alphabetical list of all runners appointed, giving the type and class of license, names and addresses of each licensee whose appointment and license in this state is being renewed or is to be continued in effect, accompanied by payment of the applicable renewal or continuation fees and taxes. Each such bail bondsman who shall, subsequent to the filing of this list, expect to appoint additional persons as runners shall file written notice with the department and request a license for the said runner.

(2) A bail bondsman terminating the appointment of a runner shall within thirty days file written notice thereof with the department, together with a statement that he has given or mailed notice to the runner. Such notice filed with the department shall state the reasons, if any, for such termination. Information so furnished the department shall be privileged and shall not be used as evidence in any action against the bail bondsman.

History.—§13, ch. 29621, 1955; §10, ch. 59-326; §113, 35, ch. 69-106; §177, ch. 70-339.

Note.—See former §903.49.

648.42 Registration of bail bondsmen.—No bail bondsman shall become a surety on an undertaking unless he has registered in the office of the sheriff and with the clerk of the circuit court in the county in which the bondsman resides and he may register in a like manner in any other county and any limited surety agent shall file a certified copy of his appointment by power of attorney from each insurer which he represents as agent with each of said officers. Registration and filing of certified

copy of renewed power of attorney shall be performed annually on October 1. The clerk of the circuit court and the sheriff shall not permit the registration of a bail bondsman unless such bondsman is currently licensed by the department.

History.—§14, ch. 29621, 1955; §13, 35, ch. 69-106; §177, ch. 70-339.

Note.—See former §903.50.

648.43 Power of attorney; to be approved by department; filing of copies.—

(1) Every insurer engaged in the writing of bail bonds through limited surety agents in this state shall submit and have approved by the department a sample power of attorney which will be the only form of power of attorney the insurer will issue to limited surety agents in Florida.

(2) Every professional bondsman who authorizes a licensed professional bondsman directly employed by him to sign his name to bonds must file copy of the power of attorney given to such licensed bondsman with the sheriff and the clerk of the circuit court in the county in which he resides and with the department. Such power of attorney shall remain in full force and effect until written notice revoking the power of attorney has been received by the above named officials.

History.—§15, ch. 29621, 1955; §14, ch. 61-406; §113, 35, ch. 69-106; §177, ch. 70-339.

Note.—See former §903.51.

648.44 Prohibitions.—

(1) No bail bondsman or runner shall:

(a) Suggest or advise the employment of or name for employment any particular attorney to represent his principal.

(b) Solicit business in or about any place where prisoners are confined or in or about any court.

(c) Pay a fee or rebate or give or promise anything of value to a jailer, policeman, peace officer, committing magistrate, or any other person who has power to arrest or to hold in custody; or to any public official or public employee in order to secure a settlement, compromise, remission or reduction of the amount of any bail bond or estreatment thereof.

(d) Pay a fee or rebate or give anything of value to an attorney in bail bond matters, except in defense of any action on a bond.

(e) Pay a fee or rebate or give or promise anything of value to the principal or anyone in his behalf.

(f) Participate in the capacity of an attorney at a trial or hearing of one on whose bond he is surety.

(g) Accept anything of value from a principal except the premium, provided that the bondsman shall be permitted to accept collateral security or other indemnity from the principal which shall be returned upon final termination of liability on the bond. Such collateral security or other indemnity required by the bondsman must be reasonable in relation to the amount of the bond.

(2) When a bail bondsman accepts collateral he shall give a written receipt for same, and this receipt shall give in detail a full account of the collateral received.

(3) The following persons or classes shall not be bail bondsmen or runners and shall not directly or indirectly receive any benefits from the execution of any bail bond:

- (a) Jailers
- (b) Police officers
- (c) Committing magistrates
- (d) Justices of the peace
- (e) Municipal or small claims court judges
- (f) Sheriffs, deputy sheriffs and constables
- (g) Any person having the power to arrest or having anything to do with the control of federal, state, county or municipal prisoners.

(4) A bail bondsman shall not sign nor countersign in blank any bond, nor shall he give a power of attorney to, or otherwise authorize, anyone to countersign his name to bonds unless the person so authorized is a licensed bondsman directly employed by the bondsman giving such power of attorney.

(5) No bail bond agency shall advertise as or hold itself out to be a bail bond or surety company.

History.—§16, ch. 29621, 1955; §177, ch. 70-339.

Note.—See former §903.52.

648.45 Denial, suspension, refusal to renew, or revocation of license or eligibility to hold same.—

* (1) The department may deny, suspend, revoke or refuse to renew any license issued under this law, or it may suspend or revoke the eligibility of any person to hold a license under this law, for any of the following causes or for any violation of the laws of this state relating to bail:

(a) For any cause for which issuance of the license could have been refused had it then existed and been known to the department.

(b) Violation of any law relating to the business of bail bond insurance in the course of dealings under the license issued him by the department.

(c) Material mis-statement, misrepresentation or fraud in obtaining the license, or failure to pass any examination required under this chapter.

(d) Misappropriation, conversion or unlawful withholding of moneys belonging to insurers or others and received in the conduct of business under the license.

(e) Conviction of a felony.

(f) Fraudulent or dishonest practices in the conduct of business under the license.

(g) Willful failure to comply with, or willful violation of any proper order, rule or regulation of the department.

(h) Failure or refusal, upon demand, to pay over to any insurer he represents or has represented, any money coming into his hands belonging to the insurer.

(i) Willful failure to return collateral se-

curity to the principal when the principal is entitled thereto.

(j) When, in the judgment of the department, the licensee has, in the conduct of affairs under the license, demonstrated incompetency, or untrustworthiness, or conduct or practices rendering him unfit to carry on the bail bond business, or making his continuance in such business detrimental to the public interest, or when the department finds that he is no longer in good faith carrying on the bail bond business, or that he is guilty of rebating, or offering to rebate, or unlawfully dividing, or offering to divide his commissions in the case of limited surety agents, or premiums in the case of professional bondsmen, and for such reasons is found by the department to be a source of detriment, injury or loss to the public.

(2) In case of the suspension or revocation of license or the eligibility to hold such license of any bail bondsman, the license or eligibility to hold same of any or all other bail bondsmen who are members of the same agency, whether incorporated or unincorporated, any or all runners employed by such agency who knowingly were parties to the act which formed the ground for the suspension or revocation shall likewise be suspended or revoked for the same period as that of the offending bail bondsman, but this shall not prevent the licensing or reinstatement of eligibility of any bail bondsman or runner except the one whose license was first suspended or revoked and those persons who knowingly were parties to the act, from being licensed as a member of, or bail bondsman or runner for some other agency.

(3) No license under this chapter shall be issued, renewed, or permitted to exist when the same is used directly or indirectly to circumvent any of the provisions of this law.

History.—§17, ch. 29621, 1955; §3, ch. 57-63; §15, ch. 61-406; §§13, 35, ch. 69-106; §177, ch. 70-339; §25, ch. 71-86.

**Note.*—§25, ch. 71-86 purported to amend subsection (1) but merely amended introductory paragraph of same subsection.

Note.—See former §903.53.

648.46 Procedure for suspension or revocation of eligibility or for denial, revocation, suspension, or refusal to renew license.—

(1) If any bail bondsman or runner is convicted by a court of a violation of any of the provisions of this chapter, the license or eligibility to hold a license of such individual shall thereby be deemed to be immediately revoked, without any further procedure relative thereto by the department.

(2) As to licenses or eligibility to hold licenses denied by the department upon application therefor, the applicant if aggrieved thereby shall have the right to a hearing thereon and may appeal to the court from any adverse decision of the department relative thereto as provided in §648.54.

(3) As to licenses issued under this chapter and thereafter suspended or revoked, or renewal or continuation thereof refused by the department, except for failure of the licensee to pass any examination required under this

chapter, or as to revocation or suspension of eligibility to hold a license, the procedures hereinafter set forth in this section shall apply.

(4) If after an investigation or upon other evidence the department has reason to believe that there may exist any one or more causes for suspension, revocation, or refusal to renew or continue the license of any bail bondsman or runner as such causes are specified in §648.45 or that a bail bondsman or runner has been guilty of violating any of the laws of this state relating to bail bonds, or that any licensee is no longer eligible to hold a license, the department shall mail written notice of its intention to suspend, revoke, or refuse to renew or continue the license, as the case may be, accompanied by a copy of the charges against the licensee to the licensee, and to the insurer represented by the licensee if a limited surety agent. Such notice and charges shall be mailed by registered mail, addressed to the licensee at his residence or principal business address last of record with the department, and to the insurer, if a limited surety agent, at its address last of record with the department. The notice shall be deemed given when so addressed and mailed postage prepaid at a United States post office or branch thereof.

(5) If within twenty days after the date of mailing the notice and charges as provided for in subsection (4), the licensee has not filed with the department at its office in Tallahassee a written answer to such charges coupled with a written request for a hearing thereon, the department may proceed to suspend, revoke or refuse to renew the license.

(6) If within such twenty days an answer and request for hearing is so filed with the department, the department shall hold a hearing with respect to the charges, the hearings to be held within sixty days of the date of the mailing of the notice and charges referred to in subsection (4), unless postponed by mutual consent of the parties. The department shall give the licensee and each insurer that has filed with it the answer to the charges and request for hearing as provided in subsection (5), written notice of the hearing and of the matters to be considered thereat not less than ten days in advance of the hearing date.

(7) The department's statement of charges, papers, documents, reports or evidence relative to the subject of a hearing under this section shall not be subject to subpoena without its consent until after the same shall have been published at the hearing, unless after notice to the department and hearing the court determines that the department would not be unnecessarily hindered or embarrassed by such subpoenas.

(8) Following the hearing the department shall make its order thereon as required under §624.327 (order on hearing) and mail a copy thereof by registered mail to the address last of record in its office of each party to the hear-

ing. If by its findings made upon the hearing the department finds that one or more of the causes therefor exist as specified in §648.45, its order shall incorporate the taking of action relative to suspension, revocation or refusal to continue the eligibility of the licensee or to renew or continue the license as authorized.

History.—§18, ch. 29621, 1955; §16, ch. 61-406; §§13, 35, ch. 69-106; §177, ch. 70-339; §26, ch. 71-86.

Note.—See former §803.54.

648.47 Conduct of hearings.—

(1) The hearing may be held in the department's office at Tallahassee or at such other place in this state deemed by the department to be more convenient to parties and witnesses.

(2) An agent or examiner designated by the department shall preside at the hearing and shall sit in the capacity of a quasi-judicial officer.

(3) All hearings shall be public.

(4) The department shall allow any party to the hearing to appear in person and by counsel, to be present during the giving of all evidence, to have a reasonable opportunity to inspect all documentary and other evidence and to examine and cross-examine witnesses, to present evidence in support of his interest, and to have subpoenas issued by the department to compel attendance of witnesses and production of evidence in his behalf. Testimony may be taken orally or by deposition, and any party shall have such right of introducing evidence by deposition as he may obtain in the circuit courts of this state.

(5) Upon good cause shown the department shall permit to become a party to the hearing by intervention, if timely, only such persons who were not original parties thereto and whose interests are to be directly and immediately affected by the department's order made upon the hearing.

(6) Formal rules of pleading or of evidence need not be observed at the hearing, except that the right of any person to invoke such rules and the rule of exclusion of witnesses is preserved.

(7) Unless waived in writing by the other parties to the hearing, the department shall cause a full stenographic record of the proceedings at the hearing to be made by a competent reporter and at the cost of the state. If transcribed, a copy of such stenographic record shall be made a part of the department's record of the hearing. A transcription shall be made if requested by any party in order that such party may have a copy thereof. A copy of the transcribed stenographic record shall be furnished to any party to the hearing requesting the same, and at such reasonable charge therefor as the department may fix. If no stenographic record is made or transcribed the department shall prepare an adequate record of the evidence and of the proceedings. The state's portion of the cost of the stenographic record and transcription thereof shall be paid out of the insurance commissioner's regulatory trust fund.

History.—§17, ch. 61-406; §2, ch. 61-119; §27, ch. 65-269; §13, 35, ch. 69-106; §177, ch. 70-339.
 Note.—See former §903.541.

648.48 Witnesses and evidence.—

(1) As to the subject of any examination, investigation or hearing being conducted by him the agent or examiner appointed by the department may administer oaths, examine and cross-examine witnesses, receive oral and documentary evidence, and shall have the power to subpoena witnesses, compel their attendance and testimony, and require by subpoena the production of books, papers, records, files, correspondence, documents or other evidence which he deems relevant to the inquiry.

(2) If any person refuses to comply with any such subpoena or to testify as to any matter concerning which he may be lawfully interrogated, the circuit court of Leon county or of the county wherein such examination, investigation or hearing is being conducted, or of the county wherein such person resides, on the department's application may issue an order requiring such person to comply with the subpoena and to testify; and any failure to obey such an order of the court may be punished by the court as a contempt thereof.

(3) Subpoenas shall be served and proof of such service made in the same manner as if issued by a circuit court. Witness fees and mileage, if claimed, shall be allowed the same as for testimony in a circuit court.

(4) Any person wilfully testifying falsely under oath as to any matter material to any such examination, investigation or hearing shall upon conviction thereof be guilty of perjury and shall be punished accordingly.

(5) If any person asks to be excused from attending or testifying or from producing any books, papers, records, contracts, documents, or other evidence in connection with any examination, hearing or investigation being conducted by the department or its examiner, on the ground that the testimony or evidence required of him may tend to incriminate him or subject him to a penalty or forfeiture, and shall notwithstanding be directed to give such testimony or produce such evidence, he must, if so directed by the department and the department of legal affairs, nonetheless comply with such direction, but he shall not thereafter be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter or thing concerning which he may have so testified or produced evidence, and no testimony so given or evidence produced shall be received against him upon any criminal action, investigation or proceeding; except, however, that no such person so testifying shall be exempt from prosecution or punishment for any perjury committed by him in such testimony, and the testimony or evidence so given or produced shall be admissible against him upon any criminal action, investigation or proceeding concerning such perjury; nor shall he be exempt from the refusal, suspension, or revocation of any license, permission, or authority

conferred, or to be conferred, pursuant to this chapter.

(6) Any such individual may execute, acknowledge and file in the office of the department a statement expressly waiving such immunity or privilege in respect to any transaction, matter or thing specified in such statement, and thereupon the testimony of such individual or such evidence in relation to such transaction, matter or thing may be received or produced before any judge or justice, court, tribunal, grand jury or otherwise, and if so received or produced such individual shall not be entitled to any immunity or privileges on account of any testimony he may so give or evidence so produced.

(7) Any person who refuses or fails, without lawful cause, to testify relative to the affairs of any person when subpoenaed and requested by the department to so testify shall be guilty of a misdemeanor of the second degree, punishable as provided in §775.082 or §775.083.

History.—§18, ch. 61-406; §11, 13, 35, ch. 69-106; §177, ch. 70-339; §666, ch. 71-136.
 Note.—See former §903.542.

648.49 Duration of suspension or revocation.—

(1) The department shall, in its order suspending a license or the eligibility to hold same, specify the period during which the suspension is to be in effect, but such period shall not exceed one year. The license and eligibility to hold same shall remain suspended during the period so specified, subject, however, to any rescission or modification of the order by the department, or modification or reversal thereof by the court, prior to expiration of the suspension period. A license which has been suspended shall not be reinstated, nor shall the eligibility to hold such license be reinstated, except upon request for such reinstatement, but the department shall not grant such reinstatement if it finds that the circumstances for which the license was suspended still exist or are likely to recur.

(2) No individual licensed under any license which has been revoked or who has had his eligibility to hold same revoked by the department, shall have the right to apply for another license under this chapter within two years from the effective date of such revocation, or, if judicial review of such revocation is sought, within two years from the date of final court order or decree affirming the revocation. The department shall not, however, grant a new license to any individual if it finds that the circumstances for which the previous license was revoked still exist or are likely to recur.

(3) If licenses or the eligibility to hold licenses as bail bondsman or runner as to the same individual have been revoked at two separate times, the department shall not thereafter grant or issue any license under this chapter as to such individual.

(4) During the period of suspension, or after revocation of the license, the former

licensee shall not engage in or attempt to profess to engage in any transaction or business for which a license is required under this chapter.

History.—§19, ch. 61-406; §§13, 35, ch. 69-106; §177, ch. 70-339; §27, ch. 71-86.

Note.—See former §903.543.

648.50 Effect of suspension, revocation upon associated licenses and licensees.—

(1) Upon suspension, revocation or refusal to renew or continue any license or the eligibility to hold same of a bail bondsman or runner the department shall at the same time likewise suspend or revoke all other licenses and the eligibility to hold any other such licenses which may be held by the licensee under the Florida insurance code.

(2) In case of the suspension or revocation of license or eligibility to hold same of any bail bondsman, the license or eligibility of any and all bail bondsmen who are members of a bail bond agency, whether incorporated or unincorporated, and any and all runners employed by such bail bond agency, who knowingly are parties to the act which formed the ground for the suspension or revocation may likewise be suspended or revoked for the same period as that of the offending bail bondsman; but this shall not prevent any bail bondsman or runner, except the one whose license was first suspended or revoked, from being licensed as a member of or a runner for some other bail bond agency.

(3) The procedures provided for in §648.46 shall likewise apply as to suspension, revocation and refusals to renew or continue as referred to in subsection (2).

History.—§20, ch. 61-406; §§13, 35, ch. 69-106; §177, ch. 70-339; §28, ch. 71-86.

Note.—See former §903.544.

648.51 Surrender of license or permit.—

(1) Though issued to a licensee all certificates of licenses issued under this chapter are at all times the property of the state, and upon notice of any suspension, revocation, refusal to renew, expiration or other termination of the license, the licensee or other person having either the original or copy of the license shall promptly deliver the certificate of license or copy thereof to the department for cancellation.

(2) As to any certificate of license lost, stolen or destroyed while in the possession of any such licensee or person, the department may accept in lieu of return of the certificate the affidavit of the licensee or other person responsible for or involved in the safekeeping of such certificate, concerning the facts of such loss, theft, or destruction. Wilful falsification of any such affidavit shall, upon conviction, be punishable as for perjury.

This section shall not be deemed to require the delivery to the department of any license which, as shown by specification on the face of the license,

has already expired, unless such delivery has been requested by the department.

History.—§21, ch. 61-406; §§13, 35, ch. 69-106; §177, ch. 70-339.

Note.—See former §903.545.

648.52 Administrative fine in lieu of suspension, revocation of license.—

(1) If, upon procedures provided for in §648.46, the department finds that one or more causes exist for the suspension, revocation or refusal to renew or continue any license issued under this chapter, the department may, in its discretion, in lieu of such suspension, revocation or refusal, and except on a second offense, impose upon the licensee an administrative penalty in the amount of \$100.00, or if the department has found wilful misconduct or wilful violation on the part of the licensee, \$500.00. The administrative penalty may, in the department's discretion, be augmented in amount by an amount equal to any commissions received by or accruing to the credit of the licensee in connection with any transaction as to which the grounds for suspension, revocation or refusal related.

(2) The department may allow the licensee a reasonable period, not to exceed thirty days, within which to pay to the department the amount of the penalty so imposed. If the licensee fails to pay the penalty in its entirety to the department at its office at Tallahassee within the period so allowed, the licenses of the licensee shall stand suspended, revoked or renewal or continuation refused, as the case may be, upon expiration of such period and without any further proceedings.

History.—§22, ch. 61-406; §2, ch. 61-119; §30, ch. 65-269; §§13, 35, ch. 69-106; §177, ch. 70-339.

Note.—See former §903.546.

648.53 Probation.—

(1) If, upon procedures provided for in §648.46, the department finds that one or more causes exist for the suspension, revocation or refusal to renew or continue any license issued under this chapter the department may, in its discretion, in lieu of such suspension, revocation or refusal, or in connection with any administrative monetary penalty imposed under §648.52, place the offending licensee on probation for a period, not to exceed two years, as specified by the department in its order.

(2) As a condition to such probation or in connection therewith, the department may specify in its order reasonable terms and conditions to be fulfilled by the probationer during the probation period. If during the probation period the department has good cause to believe that the probationer has violated such terms and conditions or any of them, it shall forthwith suspend, revoke or refuse to renew or continue the license of the probationer, as upon the original causes referred to in subsection (1), by its order given to the licensee, without the necessity of further advance notice, hearing, or procedure.

History.—§17, ch. 61-406; §2, ch. 61-119; §27, ch. 65-269; §13, 35, ch. 69-106; §177, ch. 70-339.

Note.—See former §903.541.

648.48 Witnesses and evidence.—

(1) As to the subject of any examination, investigation or hearing being conducted by him the agent or examiner appointed by the department may administer oaths, examine and cross-examine witnesses, receive oral and documentary evidence, and shall have the power to subpoena witnesses, compel their attendance and testimony, and require by subpoena the production of books, papers, records, files, correspondence, documents or other evidence which he deems relevant to the inquiry.

(2) If any person refuses to comply with any such subpoena or to testify as to any matter concerning which he may be lawfully interrogated, the circuit court of Leon county or of the county wherein such examination, investigation or hearing is being conducted, or of the county wherein such person resides, on the department's application may issue an order requiring such person to comply with the subpoena and to testify; and any failure to obey such an order of the court may be punished by the court as a contempt thereof.

(3) Subpoenas shall be served and proof of such service made in the same manner as if issued by a circuit court. Witness fees and mileage, if claimed, shall be allowed the same as for testimony in a circuit court.

(4) Any person wilfully testifying falsely under oath as to any matter material to any such examination, investigation or hearing shall upon conviction thereof be guilty of perjury and shall be punished accordingly.

(5) If any person asks to be excused from attending or testifying or from producing any books, papers, records, contracts, documents, or other evidence in connection with any examination, hearing or investigation being conducted by the department or its examiner, on the ground that the testimony or evidence required of him may tend to incriminate him or subject him to a penalty or forfeiture, and shall notwithstanding be directed to give such testimony or produce such evidence, he must, if so directed by the department and the department of legal affairs, nonetheless comply with such direction, but he shall not thereafter be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter or thing concerning which he may have so testified or produced evidence, and no testimony so given or evidence produced shall be received against him upon any criminal action, investigation or proceeding; except, however, that no such person so testifying shall be exempt from prosecution or punishment for any perjury committed by him in such testimony, and the testimony or evidence so given or produced shall be admissible against him upon any criminal action, investigation or proceeding concerning such perjury; nor shall he be exempt from the refusal, suspension, or revocation of any license, permission, or authority

conferred, or to be conferred, pursuant to this chapter.

(6) Any such individual may execute, acknowledge and file in the office of the department a statement expressly waiving such immunity or privilege in respect to any transaction, matter or thing specified in such statement, and thereupon the testimony of such individual or such evidence in relation to such transaction, matter or thing may be received or produced before any judge or justice, court, tribunal, grand jury or otherwise, and if so received or produced such individual shall not be entitled to any immunity or privileges on account of any testimony he may so give or evidence so produced.

(7) Any person who refuses or fails, without lawful cause, to testify relative to the affairs of any person when subpoenaed and requested by the department to so testify shall be guilty of a misdemeanor of the second degree, punishable as provided in §775.082 or §775.083.

History.—§18, ch. 61-406; §11, 13, 35, ch. 69-106; §177, ch. 70-339; §666, ch. 71-136.

Note.—See former §903.542.

648.49 Duration of suspension or revocation.—

(1) The department shall, in its order suspending a license or the eligibility to hold same, specify the period during which the suspension is to be in effect, but such period shall not exceed one year. The license and eligibility to hold same shall remain suspended during the period so specified, subject, however, to any rescission or modification of the order by the department, or modification or reversal thereof by the court, prior to expiration of the suspension period. A license which has been suspended shall not be reinstated, nor shall the eligibility to hold such license be reinstated, except upon request for such reinstatement, but the department shall not grant such reinstatement if it finds that the circumstances for which the license was suspended still exist or are likely to recur.

(2) No individual licensed under any license which has been revoked or who has had his eligibility to hold same revoked by the department, shall have the right to apply for another license under this chapter within two years from the effective date of such revocation, or, if judicial review of such revocation is sought, within two years from the date of final court order or decree affirming the revocation. The department shall not, however, grant a new license to any individual if it finds that the circumstances for which the previous license was revoked still exist or are likely to recur.

(3) If licenses or the eligibility to hold licenses as bail bondsman or runner as to the same individual have been revoked at two separate times, the department shall not thereafter grant or issue any license under this chapter as to such individual.

(4) During the period of suspension, or after revocation of the license, the former

licensee shall not engage in or attempt to profess to engage in any transaction or business for which a license is required under this chapter.

History.—§19, ch. 61-406; §§13, 35, ch. 69-106; §177, ch. 70-339; §27, ch. 71-86.

Note.—See former §903.543.

648.50 Effect of suspension, revocation upon associated licenses and licensees.—

(1) Upon suspension, revocation or refusal to renew or continue any license or the eligibility to hold same of a bail bondsman or runner the department shall at the same time likewise suspend or revoke all other licenses and the eligibility to hold any other such licenses which may be held by the licensee under the Florida insurance code.

(2) In case of the suspension or revocation of license or eligibility to hold same of any bail bondsman, the license or eligibility of any and all bail bondsmen who are members of a bail bond agency, whether incorporated or unincorporated, and any and all runners employed by such bail bond agency, who knowingly are parties to the act which formed the ground for the suspension or revocation may likewise be suspended or revoked for the same period as that of the offending bail bondsman; but this shall not prevent any bail bondsman or runner, except the one whose license was first suspended or revoked, from being licensed as a member of or a runner for some other bail bond agency.

(3) The procedures provided for in §648.46 shall likewise apply as to suspension, revocation and refusals to renew or continue as referred to in subsection (2).

History.—§20, ch. 61-406; §§13, 35, ch. 69-106; §177, ch. 70-339; §28, ch. 71-86.

Note.—See former §903.544.

648.51 Surrender of license or permit.—

(1) Though issued to a licensee all certificates of licenses issued under this chapter are at all times the property of the state, and upon notice of any suspension, revocation, refusal to renew, expiration or other termination of the license, the licensee or other person having either the original or copy of the license shall promptly deliver the certificate of license or copy thereof to the department for cancellation.

(2) As to any certificate of license lost, stolen or destroyed while in the possession of any such licensee or person, the department may accept in lieu of return of the certificate the affidavit of the licensee or other person responsible for or involved in the safekeeping of such certificate, concerning the facts of such loss, theft, or destruction. Wilful falsification of any such affidavit shall, upon conviction, be subject to punishment as for perjury.

(3) This section shall not be deemed to require the delivery to the department of any certificate of license which, as shown by specific date of expiration on the face of the license,

has already expired, unless such delivery has been requested by the department.

History.—§21, ch. 61-406; §§13, 35, ch. 69-106; §177, ch. 70-339.
Note.—See former §903.545.

648.52 Administrative fine in lieu of suspension, revocation of license.—

(1) If, upon procedures provided for in §648.46, the department finds that one or more causes exist for the suspension, revocation or refusal to renew or continue any license issued under this chapter, the department may, in its discretion, in lieu of such suspension, revocation or refusal, and except on a second offense, impose upon the licensee an administrative penalty in the amount of \$100.00, or if the department has found wilful misconduct or wilful violation on the part of the licensee, \$500.00. The administrative penalty may, in the department's discretion, be augmented in amount by an amount equal to any commissions received by or accruing to the credit of the licensee in connection with any transaction as to which the grounds for suspension, revocation or refusal related.

(2) The department may allow the licensee a reasonable period, not to exceed thirty days, within which to pay to the department the amount of the penalty so imposed. If the licensee fails to pay the penalty in its entirety to the department at its office at Tallahassee within the period so allowed, the licenses of the licensee shall stand suspended, revoked or renewal or continuation refused, as the case may be, upon expiration of such period and without any further proceedings.

History.—§22, ch. 61-406; §2, ch. 61-119; §30, ch. 65-269; §§13, 35, ch. 69-106; §177, ch. 70-339.

Note.—See former §903.546.

648.53 Probation.—

(1) If, upon procedures provided for in §648.46, the department finds that one or more causes exist for the suspension, revocation or refusal to renew or continue any license issued under this chapter the department may, in its discretion, in lieu of such suspension, revocation or refusal, or in connection with any administrative monetary penalty imposed under §648.52, place the offending licensee on probation for a period, not to exceed two years, as specified by the department in its order.

(2) As a condition to such probation or in connection therewith, the department may specify in its order reasonable terms and conditions to be fulfilled by the probationer during the probation period. If during the probation period the department has good cause to believe that the probationer has violated such terms and conditions or any of them, it shall forthwith suspend, revoke or refuse to renew or continue the license of the probationer, as upon the original causes referred to in subsection (1), by its order given to the licensee, without the necessity of further advance notice, hearing, or procedure.

History.—§23, ch. 61-406; §113, 35, ch. 69-106; §177, ch. 70-339.

Note.—See former §903.547.

648.54 Review of suspension or revocation of eligibility or of denial, suspension, revocation or refusal to renew license.—Any applicant for license as bail bondsman or runner whose application has been denied, whose eligibility to hold a license has been suspended or revoked, or whose license shall have been so suspended or revoked or renewal thereof denied shall have the right of appeal from such final order of the department by appeal to the district court of appeal, first district. Such an appeal shall be commenced within the time provided by the Florida appellate rules after the rendition of such order, and in compliance with the rules of procedure as prescribed by the supreme court of Florida for appeals.

History.—§19, ch. 29621, 1955; §11, ch. 59-326; §1, ch. 69-267; §§13, 35, ch. 69-106; §177, ch. 70-339; §29, ch. 71-86.

Note.—See former §903.55.

648.55 All bondsmen of same agency; licensed by same companies.—All bail bondsmen who are members of the same agency, partnership, corporation or association shall be licensed for the same companies. If any member

of such agency, partnership, corporation or association is licensed as a professional bondsman, all members thereof shall be so licensed. It shall be the responsibility of each company to see that each agent in an agency is licensed to represent that particular company.

History.—§20, ch. 29621, 1955; §4, ch. 57-63; §177, ch. 70-339.

Note.—See former §903.56.

648.56 Exemption.—Nothing in §§648.25-648.57 shall be construed as to prevent any duly licensed general lines agent as defined in §626.041 of the insurance code, from writing bail bonds for any company authorized to write fidelity and surety bonds which he represents as agent, provided such agent shall be subject to and governed by all laws, rules, and regulations relating to bail bondsmen when engaged in the activities thereof.

History.—§21, ch. 29621, 1955; §12, ch. 59-326; §177, ch. 70-339.

Note.—See former §903.57.

648.57 Penalty.—Any person or corporation, who is found guilty of violating any of the provisions of this chapter shall be guilty of a misdemeanor of the second degree, punishable as provided in §775.082 or §775.083.

History.—§22, ch. 29621, 1955; §177, ch. 70-339; §667, ch. 71-136.

Note.—See former §903.58.