

5-Year Reviews of Title Insurance Rules

- **R592-1:** Title Insurance Licensing.

Utah statute requires all state agencies to do 5-year reviews of their rules to ensure they continue to make sense in a changing world.

What must be done at the August 18 Title & Escrow Commission meeting is to make a yes-or-no determination of whether the above rules should stay on the books.

Rules cannot be amended as part of a 5-year review, but the need for future amendments can be discussed for inclusion on a future agenda.

State of Utah
Administrative Rule Analysis
Revised May 2025

NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION

Rule number:	R592-1	Filing ID: OFFICE USE ONLY
Effective date:	OFFICE USE ONLY	

Agency Information

1. Title catchline:	Insurance, Title and Escrow Commission	
Building:	Taylorsville State Office Building	
Street address:	4315 S. 2700 W.	
City, state:	Taylorsville, UT	
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Please address questions regarding information on this notice to the persons listed above.

General Information

2. Rule catchline:	R592-1. Title Insurance Licensing			
3. Statutory provisions that authorize or require this rule and an explanation of those particular statutory provisions:				
Subsection 31A-2-404(2)(a)(ii)	Requires the Title and Escrow Commission to write rules related to title insurance.			
Subsection 31A-2-404(2)(b)	Requires the concurrence of the Title and Escrow Commission in the issuance and renewal of title licensee licenses.			
Subsection 63G-3-301-(2)(a)	An explanation of how this reference authorizes or requires this rule.			
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:				
No comments have been received since the last five-year review of this rule.				
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:				
The law requires that the Title and Escrow Commission concur with the Insurance Commissioner in the issuance and renewal of title licenses. The rule sets the procedure to do this. This has been a useful process because it has opened a dialogue between the Department and members of the title industry who know the players, and whether there are issues and concerns that should be addressed regarding licensure. Therefore, this rule should be continued. In addition, the Title & Escrow Commission, which has rulemaking authority over rules in Title R592, Title and Escrow Commission, voted to continue this rule by a vote of [XXX]-0.				

Agency Authorization Information

To the agency: Information requested on this form is required by Section 63G-3-305. The office may return incomplete forms to the agency, possibly delaying publication in the <i>Utah State Bulletin</i> .			
Agency head or designee and title:	Steve Gooch, Public Information Officer	Date:	Click or tap to enter a date.
Reminder: Text changes cannot be made with this type of rule filing. To change any text, please file an amendment or a nonsubstantive change.			

R592. Insurance, Title and Escrow Commission.

R592-1. Title Insurance Licensing.

R592-1-1. Authority.

This rule is promulgated by the Title and Escrow Commission pursuant to Subsections 31A-2-404(2)(a)(ii) and 31A-2-404(2)(b).

R592-1-2. Purpose and Scope.

(1) The purpose of this rule is to establish the Commission's preliminary concurrence in the commissioner's decision to issue or renew a title license under Subsection 31A-2-404(2)(b).

(2) This rule applies to a title licensee and an applicant for a title insurance license.

R592-1-3. Definitions.

Terms used in this rule are defined in Sections 31A-1-301 and 31A-2-402.

R592-1-4. Licensing.

The Commission grants preliminary concurrence to the commissioner for the issuing or renewing of title insurance licenses, subject to final concurrence as specified in Section R592-1-5, to an applicant that:

- (1) complies with Sections 31A-23a-104, 31A-23a-105, 31A-23a-106, 31A-23a-107, 31A-23a-108, and 31A-23a-204 for initial application;
- (2) complies with Section 31A-23a-202 for renewal of a license; and
- (3) meets each requirement for the issuance of a license.

R592-1-5. Commission Concurrence with License Issuance or Renewal.

(1) The commissioner will report to the Commission, at an interval and in a format acceptable to the commissioner and the Commission, the name of each title licensee and applicant who is issued:

- (a) an initial license; or
- (b) a renewal license.

(2) In an open and public meeting, the Commission shall:

- (a) give final concurrence; or
- (b) not concur with the licensing decision of the commissioner.

(3) If the Commission does not concur with a licensing decision of the commissioner, the commissioner shall commence an administrative proceeding under the Utah Administrative Procedures Act to deny, revoke, suspend, limit, or place on probation the license.

R592-1-6. Severability.

If any provision of this rule, Rule R592-1, or its application to any person or situation is held invalid, such invalidity does not affect any other provision or application of this rule that can be given effect without the invalid provision or application. The remainder of this rule shall be given effect without the invalid provision or application.

KEY: title insurance

Date of Enactment or Last Substantive Amendment: August 23, 2021

Notice of Continuation: September 1, 2020

Authorizing, and Implemented or Interpreted Law: 31A-2-402