

**Statutory Chapters in New Mexico Statutes Annotated 1978 / CHAPTER 59A  
INSURANCE CODE / ARTICLE 30 TITLE INSURANCE / 59A-30-4. Control and  
supervision by superintendent. (1985)**

**59A-30-4. Control and supervision by superintendent.**

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INSURANCE CODE / ARTICLE 30 TITLE INSURANCE / 59A-30-4. Control and  
supervision by superintendent. (1985) / Statute text**

A. Title insurers and title insurance agents shall operate in New Mexico under the control and supervision of the superintendent. The superintendent shall promulgate such rules and regulations as are necessary to carry out the provisions of the New Mexico Title Insurance Law [Chapter 59A, Article 30 NMSA 1978], including rules and regulations requiring uniform forms of policies and uniform premiums. The superintendent may adopt uniform rules and regulations as to underwriting standards and practices, including but not limited to rules and regulations which prohibit title insurers from insuring specified risks which the superintendent determines may pose an unreasonable risk to the financial stability of title insurers.

B. No title insurer or title insurance agent shall collect any premium, issue any title insurance policy or agency agreement, or reinsure any portion of the risk assumed under any title insurance policy, other than in conformance with the New Mexico Title Insurance Law and rules and regulations adopted by the superintendent as authorized by the New Mexico Title Insurance Law.

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supervision by superintendent. (1985) / History**

**History:** 1978 Comp., § 59A-30-4, enacted by Laws 1985, ch. 28, § 4.

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supervision by superintendent. (1985) / Annotations**

**ANNOTATION**

**Regulation mandating arbitration disallowed.** — Regulation mandating arbitration clause in title insurance contract is in conflict with New Mexico Const., art. II, § 12, and in conflict with 59A-16-30 NMSA 1978 and 57-12-10 NMSA 1978; therefore, plaintiff in suit against title company may have common law and statutory claims heard in a court of law. *Lisanti v. Alamo Title Ins. of Tex.*, 2001-NMCA-100, 131 N.M. 334, 35 P.3d 989, aff'd, 2002-NMSC-032, 132 N.M. 750, 55 P.3d 962 (2002).